



ENVIRONMENTAL LEGISLATION AND POLICY
SYLLABUS
 (2024-2025)

1. Information regarding the programme

1.1 Higher education institution	Universitatea Babeș-Bolyai Cluj-Napoca (Bbaes-Bolyai University)
1.2 Faculty	Faculty of Environmental Science and Engineering
1.3 Department	Environmental Science
1.4 Field of study	Environmental Engineering
1.5 Study cycle	Bachelor level
1.6 Study programme / Qualification	Environmental Engineering

2. Information regarding the discipline

2.1 Name of the discipline	ENVIRONMENTAL LEGISLATION AND POLICY						
Code							
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	II	2.5 Semester	III	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	4	3.2 Of which: course	2	3.3 seminar/laboratory	2
3.4 Total hours in the curriculum	56	3.5 Of which: course	28	3.6 seminar/laboratory	28
Time allotment:					ore
Learning using manual, course support, bibliography, course notes					20
Additional documentation (in libraries, on electronic platforms, field documentation)					18
Preparation for seminars/labs, homework, papers, portfolios, and essays					18
Tutorship					6
Evaluations					4
Other activities: visits, workshops, and other academic activities					4
3.7 Total individual study hours	70				
3.8 Total hours per semester	126				
3.9 Number of ECTS credits	5				

4. Prerequisites (if necessary)

4.1. curriculum	No requirements
4.2 competencies	No requirements

5. Conditions (if necessary)

5.1. for the course	- <i>Materials used in the educational process specific to the discipline:</i> printed/online course materials, video projector (provided by the faculty), and other teaching materials available in the faculty library.
5.2. for the seminar /lab activities	- <i>Materials used in the educational process specific to the subject:</i> printed/online course materials, video projector (provided by the faculty), and other teaching materials available in the faculty library. - The course coordinator sets the deadline for submitting the seminar project in consultation with the students. Requests for extensions are only accepted for objectively justified reasons.

6. Specific competencies acquired

Professional competencies	⇒ Attention is given to identifying, utilizing, selecting, and effectively combining the specific knowledge and skills gained in environmental policy. ⇒ The ability to initiate and develop projects in the field of environmental protection. ⇒ Generic descriptors of targeted professional competencies: knowledge, understanding, and use of specific terminology; explanation and interpretation of concepts and situations particular to the subject; application, transfer, and problem-solving (especially in case studies); critical and constructive reflection (in the context of presented projects). ⇒ Proficiency in specialized terminology related to the subject. ⇒ Ability to complete various forms and requests pertaining to environmental protection activities. ⇒ Demonstrated ability to effectively apply the concepts learned. ⇒ The ability to complete various forms and requests for environmental protection activities. ⇒ Demonstration of the capacity to appropriately use the concepts taught. ⇒ Understanding the importance of case studies. ⇒ Adoption of a general evaluation strategy based on arguments on pros and cons. ⇒ Development of skills for the proper use of legal instruments in environmental protection.
Transversal competencies	⇒ Acquisition of skills that transcend the field of environmental policies and legislation and have a transdisciplinary nature: teamwork skills (capacity to assume roles within a multidisciplinary work team), oral and written communication skills, adherence to and development of professional values and ethics, decision-making, and learning autonomy.

	⇒ Engagement in research activities, including documentation, preparation of bibliographic summaries, and writing of scientific studies. ⇒ Development of the ability to identify opportunities for personal and professional development.
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7. Objectives of the discipline (outcome of the acquired competencies)

7.1 General objective of the discipline	▪ Mastery of specialized (legal) terminology and the ability to identify normative acts regulating a specific environmental field . ▪ Use of legal texts in the field of environmental law to solve practical cases. ▪ Knowledge and understanding of the concepts of "community", "common", and "basic" policies, as well as the concepts of "horizontal and vertical legislation" and the tools of the standard environmental policy. It is essential for students to understand the functioning mechanisms of the European Union's institutional system and to know each institution's role in addressing environmental issues at both the EU and national levels.
7.2 Specific objective of the discipline	▪ Addressing and analyzing specific topics: Environmental policy within the framework of European integration, the institutional framework, legal protection of the natural and artificial environment, legal liability in environmental protection law, or the application and enforcement of European Union law in environmental aspects. An important role is attributed to aspects of CJEU jurisprudence, which facilitate understanding the importance of institutions, legal procedures in the addressed sector, and the clarification of specialized terms. We also highlight the exploration of new elements in the national legal landscape: the delineation of competences between the European Union and Member States in environmental aspects; the principle of subsidiarity and proportionality; the role of Member States in implementing Union legislation, and the oversight function regarding the application of Union law. ▪ Development of students' argumentative skills.

8. Content

8.1 Course	Teaching methods	Remarks
PART I: ENVIRONMENTAL POLICY WITHIN THE FRAMEWORK OF EUROPEAN INTEGRATION The first lecture, <i>"Environmental Policy within the Framework of European Integration: From Origins to Lisbon"</i>, will be preceded by a 15-minute presentation titled <i>"Understanding, Respecting, and Adhering to Environmental Legal Norms: Elements of Social Cohesion"</i>. This introduction aims to raise students' awareness of the importance of the course <i>"Environmental Legislation and Policies"</i> in the current socio-economic and political context. This presentation also serves as a prelude to what we will explore together throughout the	Lecture. The approach is interdisciplinary, considering the status and curriculum of this subject in countries with a strong tradition in the field. The teaching method is flexible adapted to the professional requirements of Romanian society. We aim to engage students in curricular and extracurricular activities that develop their communication, interaction, analysis, and synthesis skills at a high academic level.	Bibliographical materials Petrescu-Mag&Petrescu, 2022, pp: 10-15

semester, introducing some themes from the course. Lecture I (C): Environmental Policy within the Framework of European Integration: From Origins to Lisbon The following topics will be covered: 1. A Brief History of European Integration: Discussing the European Union, communities, treaties, and legal nature. 2. Terminological and Conceptual Changes Introduced by the Lisbon Treaty: ○ Two types of situations related to terminology changes: introduction of new terms and concepts and replacement of terms or phrases with new ones reflecting institutional transformation and renewal. 3. Key Provisions of the Lisbon Treaty: ○ The new legislative initiative by citizens. ○ Expansion of areas in which the European Parliament co-decides with the Council of Ministers. ○ Increased opportunities for national parliaments to contribute directly to the EU decision-making process. ○ The new early warning system grants national parliaments the right to comment on draft laws and verify whether the EU exceeds its competencies by intervening in matters that can be better addressed at national or local levels. ○ Changes in EU decision-making procedures, among others. 4. The Concept of “Environment” in an International Context. 5. Environmental Policy: Definitions and fundamental elements.	<i>The course is structured into four parts:</i> Environmental Policies; Institutions and bodies involved in managing global environmental issues; Environmental Protection Law within the European Union; Application and enforcement of European Union environmental law, including jurisprudence from the Court of Justice of the European Union. <i>Recommended study strategies:</i> The material is structured into 14 topics. Students are encouraged to review the material before scheduled meetings (courses, seminars) to become familiar with the issues to be discussed and to seek clarification during these meetings. To achieve optimal performance, a minimum of three hours of study per week is recommended to cover the course material. An optimal study strategy includes five stages: ▪ Familiarization reading; ▪ In-depth reading; ▪ Memorization of essential data; ▪ Fragmented review; ▪ Comprehensive review.	
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II-III Lectures (C): Environmental Policy within the Framework of European Integration: Legal Basis, Objectives, Principles (Values), and Instruments The following topics will be addressed: ○ Legal Basis ○ Objectives ○ Principles (Values) ○ Instruments of Environmental Policy ○ Delimitation of Competences between the European Union and Member States in Environmental Aspects ○ On Competences: The Principle of Subsidiarity and Proportionality ○ State Competence in Implementing EU Environmental Legislation		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: pp.23-35, 57-59
IV Lecture (C): The Oversight Function on Implementing Union Law Exercised by the Commission. Environmental Action Programs (EAP) – The General Framework for Implementing Environmental Policy The following topics will be addressed: 1. International Initiatives for Launching EAPs 2. The Seven/Eight EAPs and Their Content 3. The Legal Regime of EAPs		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: 35-39, 59-67

PART II: INSTITUTIONS AND BODIES INVOLVED IN MANAGING GLOBAL, EU, AND NATIONAL ENVIRONMENTAL ASPECTS V-VI Lectures (C): Global Intergovernmental Organizations. Institutions and Bodies of the European Union The following topics will be addressed: ○ International/National Non-Governmental Organizations. Regional Organizations ○ Differences Between EU Institutions and Bodies; Modernization of EU Institutions Following the Lisbon Treaty ○ The European Commission, the European Parliament ○ European Institutions/Bodies ○ The Council of Ministers: Organization and Functioning. Differences Between the Council of Ministers, the European Council, and the Council of Europe ○ The Court of Justice of the European Union (CJEU) ○ Consultative Committees (Bodies) ○ Auxiliary Institutions ○ National Institutions		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: pp.43-55
PART III: PROTECTION OF NATURAL ENVIRONMENTAL COMPONENTS THROUGH LEGAL NORMS VII Lecture (C): Environmental Protection Law within the European Union The following topics will be addressed: 1. EU Law, International Law, and Domestic Law: differences 2. The Environmental Protection Law: Object of Regulation and Subjects 3. Sources of Environmental Protection Law (treaties, directives, regulations, decisions, etc.) Additional topics will include: ○ Criminal Environmental Liability		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: 87-100

○ Administrative Environmental Liability ○ Civil Environmental Liability ○ Special Provisions in Environmental Law Regarding Tortious Civil Environmental Liability ○ Legal Liability for Environmental Damage Related to Prevention and Remediation of Harm Reference will also be made to Government Emergency Ordinance No. 68/2007 (as amended and supplemented).		
VIII-IX Lectures (C): Protection of the Natural Environment: Water, Atmosphere, Forests, and Forest Vegetation The following topics will be addressed: • Directives concerning water, atmosphere, forests, forest vegetation, and national regulations transposing them (<i>hard law</i>). • Environmental Policy Strategies (soft law) (some examples below): ○ Sustainable Development ○ Thematic Strategy on Air Pollution ○ Strategy on Climate Change		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: 101-117 OUG nr. 195/2005 privind protectia mediului; Legea 265/2006 pentru aprobarea OUG 195/2005, legislatia la zi pentru fiecare sector
X Lecture (C): Legal Protection of Terrestrial and Aquatic Fauna and Flora, and Protection of the Artificial Environment The following topics will be addressed: • Directives and National Normative Acts Transposing Them (<i>hard law</i>) • Environmental Policy Strategies (soft law): ○ Strategy for Biodiversity ○ Thematic Strategy for Soil Protection ○ Thematic Strategy for the Urban Environment		Bibliographical materials: Petrescu-Mag&Petrescu, 2022: pp.117-136 OUG nr. 195/2005 privind protectia mediului, Legea 265/2006 pentru aprobarea OUG 195/2005, legislatie la zi pentru fiecare sector

○ Strategy for Waste Prevention and Recycling		
PART IV: APPLICATION AND ENFORCEMENT OF EUROPEAN UNION ENVIRONMENTAL LAW. CASE LAW OF THE COURT OF JUSTICE OF THE EUROPEAN UNION XII Lecture (C): Application and Enforcement of European Union Environmental Law. Case Law of the Court of Justice of the European Union The following topics will be addressed: Preliminary Ruling Procedure Infringement Procedure for Breaches of Treaty Provisions		Bibliographical materials: Petrescu-Mag&Petrescu, 2022, pp.137-140
Bibliography <i>Mandatory:</i> Börzel, T. A., & Buzogány, A. (2020). Compliance with EU environmental law. The iceberg is melting. In The future of European Union environmental politics and policy (pp. 129-155). Routledge. Chalmers, D., Davies, G., Monti, G., & Heyvaert, V. (2024). European Union law: text and materials. Cambridge university press. European Parliament (2024). Environment policy: general principles and basic framework. Available at: https://www.europarl.europa.eu/factsheets/en/sheet/71/environment-policy-general-principles-and-basic-framework Petrescu-Mag, R.M., Petrescu-Mag, I. V. (2018). <i>Legislație și politici de mediu</i>. Editura Accent, Cluj-Napoca. Revised version: Petrescu-Mag R. M., Petrescu-Mag I. V., 2022 <i>Legislație și politici de mediu</i>. Editura Bioflux, Cluj-Napoca. Versiunea online, ISBN 978-606-9736-17-3. [For Romanian speakers] Government of Romania (2005). Emergency Ordinance No. 195/2005 on Environmental Protection, published in the Official Gazette No. 1196 of December 30, 2005. Parliament of Romania (2006). Law No. 265 of June 29, 2006, approving Emergency Ordinance No. 195/2005 on Environmental Protection, published in the Official Gazette No. 586 of July 6, 2006. Consolidated version of the Treaty on European Union, Official Journal of the European Union, C 83, 30.03.2010, English version. Consolidated version of the Treaty on the Functioning of the European Union, Official Journal of the European Union, C 83, 30.03.2010, English version. Law No. 265 of June 29, 2006, approving the Government Emergency Ordinance No. 195/2005 on Environmental Protection. <i>Optional</i> Citizens Information (2024). European environmental law. Available at: https://www.citizensinformation.ie/en/environment/environment-and-the-law/eu-environmental-law/ Wallace, H., Pollack, M. A., Roederer-Rynning, C., & Young, A. R. (Eds.). (2020). <i>Policy-making in the European Union</i>. Oxford University Press, USA.		
8.2 Seminar / laboratory	Teaching methods	Remarks

The seminars aim to clarify issues presented during lectures, discuss pre-assigned topics, analyze an environmental case from jurisprudence, and review student projects. The projects will involve analyzing a case from the CJEU jurisprudence on an environmental issue or an environmental directive. By the latest, in the final week of the course, the finalized projects must be submitted (the project must include the student's name, specialization, project title, and bibliography). Projects must demonstrate originality. Examples of topics discussed in seminars: • Identify categories of laws and explain their differences. • Argue, using the indicated bibliographic sources, why environmental policy is a public policy. • Identify the most important legal instruments regulating access to environmental information. • Group assignment (5 students): Develop a question related to the EU, environmental policies, European environmental legislation, etc., and submit it to Europe Direct (http://europa.eu/contact/index_en.htm) or ask directly via the toll-free number 00 800 6 7 8 9 10 11. • Draft a request (or complaint) related to an environmental issue using the European Commission's online services: http://ec.europa.eu/atwork/applying-eu-law/complaints_ro.htm.	<i>Case studies prepared by students; Debates based on the papers (projects) assigned to students for preparation.</i> The approach is multidisciplinary, considering the status and curriculum of this discipline in countries with a strong tradition in the field. The teaching method is flexible and adapted to the professional requirements of Romanian society. We aim to engage students in curricular and extracurricular activities to develop their communication, interaction, analysis, and synthesis skills at a high academic level.	During seminars, students must actively participate and review the lecture notes; attendance is mandatory (students may miss a maximum of four seminars).
Bibliography <i>Mandatory</i> Morgera, E., Geelhoed, M., & Ntona, M. (2020). <i>European environmental law</i>. In Routledge Handbook of International Environmental Law (pp. 233-247). Routledge. Petrescu-Mag, R.M., Petrescu-Mag, I. V. (2018). <i>Legislație și politici de mediu</i>. Editura Accent, Cluj-Napoca. Revised version: Petrescu-Mag R. M., Petrescu-Mag I. V., 2022 <i>Legislație și politici de mediu</i>. Editura Bioflux, Cluj-Napoca. Versiunea online, ISBN 978-606-9736-17-3. [For Romanian speakers]		

Government of Romania (2005). Emergency Ordinance No. 195/2005 on Environmental Protection, published in the Official Gazette No. 1196 of December 30, 2005.

Parliament of Romania (2006). Law No. 265 of June 29, 2006, approving Emergency Ordinance No. 195/2005 on Environmental Protection, published in the Official Gazette No. 586 of July 6, 2006.

Consolidated version of the Treaty on European Union, Official Journal of the European Union, C 83, 30.03.2010, English version.

Consolidated version of the Treaty on the Functioning of the European Union, Official Journal of the European Union, C 83, 30.03.2010, English version.

Law No. 265 of June 29, 2006, approving the Government Emergency Ordinance No. 195/2005 on Environmental Protection.

Optional:

Bodislav, A. D., Rădulescu, C. V., Moise, D., & Burlacu, S. (2019). Environmental policy in the Romanian public sector. *Journal of Emerging Trends in Marketing and Management*, 1(1), 312-317.

Glicksman, R. L., Buzbee, W. W., Mandelker, D. R., Hammond, E., & Camacho, A. (2023). *Environmental protection: law and policy*. Aspen Publishing. (disponibila parțial pe Google Scholar)

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 Policies is based on a relevant topic concerning the future of the European Union: the environment. The course explores themes that are increasingly capturing the attention of both the international, EU, and national scientific communities. The course aims to foster an understanding of the concept of common policy, EU policy, basic policy, the tools of the common environmental policy, the main institutions involved in this sector, and, significantly, the most significant normative acts regulating environmental policy.

Key topics include:

Environmental Policy within the Framework of European Integration;

Institutional Framework;

Legal Protection of the Natural and Artificial Environment;

Legal Liability in Environmental Protection Law;

Application and Enforcement of European Union Environmental Law;

A significant focus is placed on aspects of CJEU jurisprudence, which help better understand the importance of institutions, legal procedures in the sector, and the meaning of specialized terms.

Additionally, the course explores novel elements in the national legal landscape, such as:

The delineation of competences between the European Union and Member States in environmental aspects; Competences: The Principle of Subsidiarity and Proportionality; Member States' Competence in Implementing Union Legislation; The Oversight Function on the Implementation of Union Law, Exercised by the European Commission.

The course content is carefully designed to align with curricula from other university centers across the EU and to meet the expectations of employers in both the public and private sectors.

10. Evaluation

Type of activity	10.1 Evaluation criteria	10.2 Evaluation methods	10.3 Share in the grade (%)
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10.4 Course	Demonstrated mastery of the concepts taught throughout the semester, along with the ability to effectively synthesize and analyze them during the exam.	Examination	Maximum score: 5 points for the exam (50% of the final grade).
10.5 Seminar/lab activities	A thorough understanding of the concepts taught throughout the semester, combined with the ability to synthesize, analyze, and integrate them into the topics discussed.	- Drafting and presenting a project on a topic assigned and communicated at the beginning of the semester, in line with the course and seminar topics, with a maximum score of 3 points. - Active participation in seminars: 2 points.	Score: 3 points for project presentation + 2 points for active participation in seminars = 5 points for seminar activities (50% of the final grade).
10.6 Minimum performance standards: minimum 5.			
Attendance at lectures is not mandatory and is not tracked, but it is recommended. The passing grade is 5 (five). Appeals regarding final results, submitted within 24 hours of the results being announced, will be resolved by a committee designated by the faculty administration within 48 hours of the appeal submission. Scheduling for student presentations of papers must be completed no later than the second week after the start of the academic term. Failure to present on the scheduled date will result in the inability to reschedule; therefore, the paper cannot be defended.			

Signature of course and seminar coordinator:

Date: December 6, 2024

Ruxandra M. Petrescu-Mag



Date of approval:

Signature of the head of the department

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