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**TOURISM AND SUSTAINABLE
DEVELOPMENT**

THE CONCEPT OF SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PROTECTION IN THE PRIMARY LEGISLATION OF THE EUROPEAN UNION

Olgica MILOŠEVIĆ
Nina NIKOLIĆ

***Abstract:** This paper explores the integration of sustainable development and environmental protection principles within the primary legislation of the European Union (EU). Sustainable development, which aims to balance economic growth, social inclusion, and environmental protection, is fundamental to the EU's policy framework. Environmental protection, as a critical aspect of sustainable development, is deeply embedded in the EU's primary legislative documents and influences a wide range of policies. The paper traces the historical evolution of the EU's commitment to these principles, beginning with early environmental action programs in the 1970s and progressing to significant legislative milestones like the Single European Act, the Maastricht Treaty, and special attention is devoted to the latest solutions that are regulated by the Treaty of Lisbon, which explicitly enshrines sustainable development as one of the EU's primary objectives. These treaties have progressively strengthened the EU's legislative framework, explicitly recognizing environmental sustainability as a core objective. Key principles underpinning the EU's approach, including the precautionary principle, the polluter pays principle, and the principle of preventive action, are examined in detail. These principles are not only theoretical constructs but are operationalized through a range of legislative instruments, including directives, regulations, and decisions. In conclusion, the paper affirms that the EU's primary legislation provides a robust framework for promoting sustainable development and environmental protection, though continuous adaptation and enforcement are necessary to meet emerging environmental challenges.*

***Keywords:** Sustainable Development, Environmental Protection, European Union, Primary Legislation, EU Law, Environmental Principles*

INTRODUCTION

One of the fundamental concepts in the economics of natural resources and the environment is sustainability, or sustainable development. This concept serves as an essential prerequisite and ultimate goal for the efficient organization of numerous human activities on Earth (Rapajić, 2012). The

sustainable development is a normative concept rather than a mere policy guideline (De Sadeleer, 2015). The initiative to establish the United Nations Environment Programme (UNEP) was launched at the United Nations Conference on the Human Environment in Stockholm in 1972, which was the UN's first major conference on international environmental issues, and marked a turning point in the development of international environmental politics. Through coordinated action by national and international bodies, a global action program to promote sustainability, known as the World Conservation Strategy, was proclaimed in 1980.

The General Assembly of the United Nations, in its resolution 38/161 of 19 December 1983, *inter alia*, welcomed the establishment of a special commission that should make available a report on environment and the global "problematique" to the year 2000 and beyond, including proposed strategies for sustainable development. The commission adopted the name World Commission on Environment and Development (WCED), later known as the Brundtland Commission, named after its chairperson, Gro Harlem Brundtland. The Commission defined the concept of sustainable development as: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs." (WCED, 1987). This definition implies a balance between resource consumption and the capacity for natural systems to regenerate.

Sustainable development also represents an integrated approach to economic, technological, social, and cultural development, aligned with the needs for environmental protection and improvement. It aims to enable both present and future generations to meet their needs and enhance their quality of life.

This introduction sets the stage for further exploration of how the concept of sustainable development is implemented in the primary legislation of the European Union, and how the EU utilizes this concept to shape its environmental protection policies. The environment is now a core area of EU policy and politics. Such dynamic developments could hardly have been expected given the legal and institutional conditions which existed in the late 1960s (Knill & Liefferink, 2021).

THE DEVELOPMENT OF ENVIRONMENTAL LAW IN THE EUROPEAN UNION UP TO THE LISBON TREATY

The concept of sustainable development is frequently associated with European Union (EU) law, where it undeniably holds a significant position. Given this, it may come as a surprise that until recently, no EU reg-

ulation explicitly defined the term “sustainable development.” This paper will specifically focus on the primary legislation of the European Union concerning sustainable development and environmental law. Therefore, it is essential to first define these terms. Primary legislation, as a source of EU law, includes the founding treaties along with all subsequent amendments. The term “sustainable development” was introduced in the Amsterdam Treaty more as a result of political compromise than as an applicable provision of substantive law. The precursor to the principle of sustainable development is the concept of sustainable growth, which was included in the objectives of the European Community in the Maastricht Treaty. It is important to note that neither the standard of sustainable development nor the standard of sustainable growth is defined in these acts (Dudaš, 2013).

To accurately present the EU’s environmental protection legislation in this paper, it is first necessary to properly define the concept and principles of sustainable development. The scholarly literature on defining sustainable development is extensive and often inconsistent. Both domestic and foreign literature offer numerous definitions, which are often either too broad or too narrow. These definitions might view the strategy of sustainable development as part of social ecology or state policy, give it an ideological character, or present it as a goal to strive for that is economically rational (Rapaić, 2012). For the purposes of this paper, we will use the definition of sustainable development as provided by the Brundtland Commission.

The development of EU environmental policy and law can also be traced through the evolution of the importance and role of environmental issues in the founding acts of the European Community and later the EU. The Treaty establishing the European Atomic Energy Community only contained provisions concerning radiation protection. Consequently, the development of environmental law is often associated with the Treaty establishing the European Economic Community (EEC). Although it did not contain any provisions regulating environmental matters, Articles 94 and 308 of the treaty were used to adopt regulations in this area (Čavoški, 2010a). Article 94 regulates the harmonization of national regulations that have a direct impact on the establishment and functioning of the common market, while Article 308 of the EC Treaty provides for implicit powers of the Community in situations where the objectives envisaged by the Treaty do not have a legal basis for the exclusive competence of the Community.

Given the legislator’s obligation to cite the legal basis in secondary legislation, most environmental directives derived their legal basis from these articles, sometimes from both simultaneously, to prevent the annulment of acts

due to an inappropriate legal basis. By 1987, approximately 200 regulations were adopted based on Article 100 (later 115, then 135) or Article 235 of the Treaty, leading to criticism from some member states due to the lack of a clear legal basis for Community policy in this area (Todić, 2011).

Environmental policy was first incorporated into EU primary legislation with the adoption of the Single European Act in 1987, with its framework expanded by subsequent treaties (Single European Act, 1986). This act for the first time regulated environmental matters within a dedicated chapter. It defined the goals to be achieved in this area, as well as the procedure and role of institutions in adopting regulations. It was established that activities in the field of environmental protection would be carried out in accordance with the principle of prevention, the principle that damage should be rectified at its source, the polluter pays principle, and particularly significant, the introduction of the principle of integration, according to which environmental requirements must be integrated into other Community policies (Živković, 2014; Živković, 2013). It was also provided that the Community could take measures where Community objectives could be better achieved at the Community level than by individual member states. Simultaneously, member states could enact stricter measures than those established at the Community level, as long as they were compatible with overall Community goals.

The Treaty on European Union of 1992 (the Maastricht Treaty) clearly established environmental protection as one of the core areas of the EU in key Articles 2 and 3 of the EC Treaty, which outlined the Community's objectives and activities (Treaty on European Union, 1992). Article 2 referred to the "throughout the Community a harmonious and balanced development of economic activities, sustainable and non-inflationary growth respecting the environment", while Article 3 deals with environmental policy as one of the activities to achieve the goals from Article 2. This treaty also strengthened the role of the European Parliament in developing environmental policy by establishing the co-decision procedure with the Council and expanding the areas in which the Council could adopt regulations by qualified majority instead of unanimity.

The Amsterdam Treaty of 1997 added a new Community objective – a high level of protection and improvement of the quality of the environment (Treaty of Amsterdam, 1997), which had to be ensured in all Community activities due to their direct or indirect impact on environmental pollution (Čavoški, 2010a). Article 2 of this treaty explicitly defined sustainable development as a Community goal: "The Community shall aim to promote

a harmonious, balanced, and sustainable development of economic activities,” alongside “sustainable and non–inflationary growth,” “a high level of employment and social protection,” “equality between men and women,” “a high level of competitiveness,” and “convergence of economic performance. etc.” (Čavoški, 2010b). The significance of this treaty also lies in the simplification of decision–making procedures related to the environment, with an enhanced role for the European Parliament (except for certain exceptions) in the co–decision procedure.

The Nice Treaty of 2001 made only minor changes in the field of environmental protection – amending Article 175 of the EC Treaty (Treaty of Nice, 2001). The European Constitution of 2004 did not foresee significant changes in the area of environmental protection, but it clarified existing treaty provisions. One of these was the clear definition of shared competences between the European Community and member states in this area. It is important to note that the European Constitution never came into force due to failed referenda in the Netherlands and France in 2005.

REFORMING ENVIRONMENTAL SECTOR IN LIGHT OF THE LISBON TREATY

The Lisbon Treaty, signed on December 13, 2007, and enforced on December 1, 2009, comprises two principal documents: the Treaty on European Union and the Treaty on the Functioning of the European Union (Lisabon Treaty, 2007). This treaty superseded two earlier treaties – the Maastricht Treaty and the Treaty establishing the European Economic Community from Rome. These reforms entail a range of alterations aimed at forging a more efficient and democratic Union. The objective is to prioritize the protection of fundamental rights and freedoms, solidarity, and security, while bolstering its global standing as a key actor. Notably, many provisions initially outlined in the European Constitution found their way into the Lisbon Treaty. Hence, despite the European Constitution’s “failure,” its intended changes surreptitiously made their mark in the Lisbon Treaty.

The Lisbon Treaty faced an uncertain future following the initial referendum setback in Ireland in 2008, pertaining to the ratification of the Lisbon Agreement. Ireland sought assurances concerning its ability to autonomously decide on pivotal matters, including military neutrality, abortion, tax rates, and the composition of commissioners in the European Commission. Consequently, the Lisbon Agreement received another opportunity for approval, eventually garnering support in a second referendum held in Ire-

land in 2009 (Milošević, 2014).

Due to the significant changes introduced by the Lisbon Treaty in the European Union's institutional framework for engaging in external relations, there was a need for time to operationalize the new institutions, establish a shared understanding, and develop working arrangements under the new provisions (Van Eeckhoutte & Corthaut, 2017). Among its various provisions, the treaty introduced several reforms aimed at strengthening the EU's environmental sector and enhancing its effectiveness in addressing environmental challenges. One of the key aspects of the Lisbon Treaty was the consolidation of environmental policy within the framework of EU law. It defined the fundamental objectives of the EU's environmental policy, including the preservation, protection, and improvement of the quality of the environment; protection of human health; prudent and rational use of natural resources; solving regional and global environmental problems; and combating climate change (Mammadov et al., 2024). Prior to the treaty, environmental policy was scattered across different treaties and legal instruments. The Lisbon Treaty brought coherence by integrating environmental concerns into the broader objectives of the EU, emphasizing sustainability and the protection of natural resources as fundamental principles.

The treaty also strengthened the EU's competences in the field of environmental protection. It expanded the scope of EU action in environmental matters, enabling the EU to adopt more ambitious policies and measures to address pressing environmental challenges (Knill & Liefferink, 2013). This was particularly evident in the areas of climate change mitigation, biodiversity conservation, and pollution control.

Sustainable development became a central tenet of EU policy under the Lisbon Treaty. The treaty explicitly recognized the importance of achieving a balance between economic development, social progress, and environmental protection. It mandated the integration of sustainable development goals into all EU policies and actions, ensuring that environmental considerations are systematically taken into account in decision-making processes across various policy areas (Medeiros & Van Der Zet, 2020).

The Lisbon Treaty introduced institutional reforms aimed at streamlining decision-making processes and improving coordination in environmental governance (Dimopoulos, 2010). It strengthened the role of the European Parliament and the European Council in shaping environmental policy, enhancing democratic accountability and transparency. Moreover, the treaty established the European Environmental Agency (EEA) as the EU's leading authority on environmental issues, providing scientific exper-

tise and data to support policy development and implementation.

Another significant aspect of the Lisbon Treaty was its emphasis on promoting green growth and sustainable economic development. The idea of “green economic growth” is intimately tied to the philosophy of sustainable development. It embodies economic progress that prioritizes the prudent utilization of natural resources, mitigates pollution, and cultivates avenues for enhancing social welfare by fostering a carbon-neutral economy (Kwilinski et al., 2023). The treaty encouraged innovation and investment in environmentally friendly technologies and practices, fostering a transition towards a low-carbon, resource-efficient economy. It also recognized the potential of environmental protection to generate economic opportunities and create green jobs, contributing to overall prosperity and well-being.

The Lisbon Treaty reaffirmed the EU’s commitment to international environmental cooperation and leadership. It empowered the EU to negotiate and conclude international agreements on behalf of its member states, enabling the EU to play a more active role in global environmental governance. The treaty also strengthened the EU’s capacity to engage with international partners, promote environmental sustainability worldwide, and address transboundary environmental issues effectively.

THE EUROPEAN UNION AIMS IN THE LISBON TREATY

In the Preamble, the commitment to the environment is highlighted: “...Determined to promote economic and social progress of their peoples, taking into account the principles of sustainable development and within the framework of the establishment of the internal market and strengthened cohesion and environmental protection, and to implement policies that ensure progress in economic integration parallel with progress in other areas.” Article 3 of the Treaty on the European Union establishes a stronger commitment of the Union to environmental preservation and its role in shaping other Union policies, with a particular emphasis on sustainable development and a high degree of environmental protection and enhancement. Consequently, sustainable development has become more comprehensive or horizontal, extending beyond just economic growth to encompass technological advancement. The Union’s objectives have been broadened to encompass its role in global relations.

Article 13 of the Treaty addresses the preservation of animal welfare, adopted from Protocol 33 on the Protection and Welfare of Animals from 1997. It stipulates that animal interests must be considered when devis-

ing and implementing measures in areas such as fisheries, technological development, and spatial policy, alongside the Union's existing operational domains. Furthermore, this article underscores the subjective aspect of this policy, recognizing that "animals are sentient and conscious beings." (Čavoški, 2010a). Article 37 of the Charter of Fundamental Rights of the European Union, integrated into primary legislation with the Lisbon Treaty, mandates that "a high level of environmental protection and improvement of the quality of the environment must be integrated into all areas of the Union and must be ensured in accordance with the principle of sustainable development." Integrating environmental protection and improvement across all Union sectors through coordinated procedures and measures outlined in Article 11 of the Treaty upholds the principle of integration, as specified in Article III–19 of the European Constitution. Article 13 of the Treaty introduces another specialized integration principle concerning animal welfare in the environmental field, while Article 194(2) introduces a specialized integration principle related to energy policy. The Lisbon Treaty elevates several integration principles to the status of "provisions having general application" in Articles 7 to 13, including principles of gender equality, integration in employment and social policy, combating discrimination, and consumer protection, alongside environmental protection and animal welfare integration principles (Martinez & Van Nolting, 2023).

EXTERNAL ACTIVITY OF THE EUROPEAN UNION UNDER THE LISBON TREATY

Several innovations in external relations outlined in the treaty hinge on ratification by the EU's member states, while others do not; the European External Action Service (EEAS) belongs to the latter category (Duke, 2009). The external activities of the European Union, as outlined in Article 12 of the Lisbon Treaty, encompass a range of measures aimed at promoting sustainable economic, social, and environmental development in developing countries, with the primary aim of accelerating poverty eradication, as well as providing assistance in developing international measures for the conservation and improvement of environmental quality and sustainable management of global natural resources, for the purpose of sustainable development (Wouters et al., 2008).

The EU is tasked with formulating and implementing measures designed to foster sustainable development in developing nations. These measures may include financial assistance, capacity-building initiatives, and

technical cooperation programs. Tensions arise from Member States' tendency to re-establish their individual zones of external action rather than fully leveraging the Treaties to advance common action. Additionally, there are tensions between the different principles underpinning the legal foundations of EU external action. This includes the conflict between the constitutional and existential requirement of conferred powers to the EU and the aspiration for overall vertical and horizontal consistency and effectiveness in the formulation and implementation of EU external action (Wouters, 2017).

One of the primary objectives of the EU's external activities is to accelerate the eradication of poverty in developing countries. This may involve targeted interventions aimed at improving living standards, increasing access to basic services, and enhancing economic opportunities for marginalized communities (Veron & Sergejeff, 2021).

The EU is committed to providing assistance for the development and implementation of international measures aimed at conserving and improving environmental quality. This could involve supporting global initiatives related to climate change mitigation, biodiversity conservation, and sustainable natural resource management.

The EU's external activities also focus on promoting the sustainable management of global natural resources. This includes efforts to address issues such as deforestation, land degradation, water scarcity, and pollution through collaborative initiatives and partnerships with other countries and international organizations.

In relation to previous founding treaties, the Lisbon Treaty more extensively defines the list of objectives and prescribes a greater commitment of the Union on the international scene. Sustainable development becomes a fundamental principle in formulating future measures that the Union implements within its external activities. The external activities of the EU under Article 12 of the Lisbon Treaty reflect its commitment to contributing to global development efforts while promoting sustainability and environmental stewardship.

DIVISION OF COMPETENCES BETWEEN THE UNION AND MEMBER STATES

Previous founding treaties faced sharp criticism from both experts and the general public due to the lack of a clear delineation of responsibilities between the Union and its member states. It was believed that this ambiguity resulted in the Union effectively expanding its powers at the expense of

the member states. The Lisbon Treaty addresses this issue by outlining the Union's competences as exclusive, shared, coordinating, or parallel. Exclusive competences means that only the Union can legislate and adopt legally binding acts, in shared competences both the Union and member states can legislate and adopt measures, but Union law prevails in case of conflict. Certain competences are designated as coordinating, meaning the Union coordinates member states' actions but does not replace their authority, in parallel competences, both the Union and member states can legislate, and member states can adopt more stringent measures.

The Union holds exclusive competence for conserving marine biological resources under the common fisheries policy, shares competence in environmental and energy policies, while civil protection falls under parallel competence, complementing and coordinating member states' measures. Notably, the Lisbon Treaty designates energy and civil protection as distinct areas, previously part of broader categories within the Union's activities. Decision-making authority in energy matters lies with the European Parliament and the Council, utilizing a co-decision procedure, now the regular legislative process under this treaty. Furthermore, these bodies must consult the Economic and Social Committee and the Committee of the Regions. Fiscal policy decisions in this domain follow a special legislative procedure requiring unanimous agreement. Chapter XXIII of the Treaty pertains to civil protection, which, due to the escalating frequency of natural disasters stemming from climate change, is integrally linked to environmental protection (Čavoški, 2010a). Consequently, member states are obligated to collaborate in enhancing systems for preventing and providing assistance in cases of natural and human-induced disasters.

The Lisbon Treaty provides a comprehensive framework for the division of competences between the Union and member states, fostering clarity, cooperation, and democratic decision-making. By delineating competences and establishing clear procedures, the treaty aims to balance the autonomy of member states with the collective goals and interests of the Union. Throughout these divisions of competences, adherence to fundamental principles such as subsidiarity and proportionality remains paramount. Subsidiarity dictates that decisions should be taken as closely as possible to the citizens, while proportionality ensures that Union action does not exceed what is necessary to achieve its objectives (Dudaš, 2015).

THE SOLIDARITY CLAUSE FROM THE LISBON TREATY

The solidarity clause represents another innovation of the Lisbon Treaty, encapsulated in Chapter VII of the Treaty, adopted from the European Constitution, and is of particular importance for the environment and civil protection. This clause plays a crucial role in enhancing the EU's capacity to respond to disasters and crises.

Due to the increasing frequency of disasters resulting from climate change or human actions, the Union and member states, in the spirit of solidarity, provide assistance to the victims of these disasters. It is important to note that this assistance also includes military aid, which has proven necessary in certain situations. The request for such assistance must originate from the member state where the disaster occurred. The decision on how to implement the solidarity clause is made by the EU Council, based on a joint proposal from the Commission and the High Representative, with the European Parliament being informed accordingly (Von Ondarza & Parkes, 2010).

The solidarity clause, enshrined in Article 222 of the Treaty on the Functioning of the European Union (TFEU), mandates that the Union and its member states act jointly in a spirit of solidarity if a member state is the victim of a terrorist attack or a natural or man-made disaster. This clause extends the EU's commitment to provide aid and support, highlighting the principle of mutual assistance among member states (Keller-Noellet, 2011).

The solidarity clause in the Lisbon Treaty represents a significant advancement in the EU's approach to disaster response and crisis management. By institutionalizing mutual assistance and encompassing a wide range of support mechanisms, including military aid, the clause enhances the Union's ability to act decisively and effectively in times of need. It underscores the EU's commitment to solidarity, cohesion, and comprehensive security, reinforcing the foundational values of mutual support and collective action that underpin the European Union.

THE EUROPEAN CITIZENS' INITIATIVE (ECI)

The citizens' initiative represents one of the institutional innovations, designed to enhance the democratic engagement of EU citizens in the policy-making process. Similar provisions were foreseen by the European Constitution, highlighting the legislator's desire to involve citizens in the work of the European Union and its bodies, from which the provisions on democratic principles and the citizens' initiative were adopted. Article 10(3)

of the Treaty on European Union (TEU) stipulates that every citizen can participate in the democratic life of the Union, and all decisions will be made publicly and, in a manner, closer to the citizens. According to the provision in Article 11(4) of the Treaty on the Functioning of the European Union (TFEU), at least one million citizens from a significant number of EU member states can address the European Commission with a call to submit a proposal for a legal act. It is expected that citizens will use this mechanism to initiate proposals for addressing various environmental protection issues, especially those on which it is difficult to reach an agreement in the EU Council (Conrad, 2011). As clearly stated in the text, this initiative is only an invitation. Even if the Commission responds to the call, it is still up to the EU Council and the European Parliament to make that proposal a legally binding act. Whether this will happen depends on whether the EU has the competence to act and the established decision-making procedures for implementing these competences.

Environmental protection is a domain where the Citizens' Initiative can have a profound impact. Given the urgency of addressing climate change, biodiversity loss, pollution, and other environmental challenges, this tool enables citizens to advocate for robust and timely legislative action. The Citizens' Initiative can significantly impact environmental policy, where it can be challenging to achieve consensus within the EU Council. By enabling citizens to directly propose legislative measures, the ECI provides a mechanism for grassroots influence on EU policy, particularly in contentious or complex areas. This mechanism underscores the EU's commitment to democratic participation and sustainability, aligning with the broader goals of environmental protection and sustainable development.

The introduction of the Citizens' Initiative reflects the EU's commitment to democratic participation and transparency (Longo, 2019). It underscores the Union's efforts to bridge the gap between EU institutions and the citizens they serve, ensuring that the voices of its people can contribute to shaping the Union's future policies and actions. This initiative exemplifies the broader democratic principles enshrined in the Lisbon Treaty, promoting active citizenship and responsive governance within the EU.

THE ROLE OF EU BODIES

The Lisbon Treaty did not introduce significant institutional changes in the realm of environmental policy concerning the roles of various institutions. It contributes to the decline in some respects, particularly through the

further institutional strengthening of the European Council and the European Parliament. However, this impact is arguably not significantly greater than that of previous treaties (Nugent & Rhinard, 2011). By refining the roles of various EU bodies and incorporating environmental protection as a central goal, the treaty aimed to strengthen the Union's commitment to sustainable development and environmental conservation. The most notable change is the creation of position of the High Representative for Foreign Affairs and Security Policy, combining the former roles of the High Representative for Common Foreign and Security Policy and the Commissioner for External Relations. The High Representative, who is also a Vice-President of the Commission, is tasked with conducting the EU's Common Foreign and Security Policy (CFSP), coordinating the Union's external actions, and representing the EU internationally, carries out policies determined by the member states (Porumbescu, 2015). This position aims to give the EU a more coherent and effective voice in global affairs.

A key innovation is the alteration of the majority voting system within the EU Council through the revised "Ioannina Compromise," which had been previously removed by the Treaty of Nice. This system requires a qualified majority for the adoption of a legal act based on a Commission proposal, defined as 55% of Council members representing at least 15 member states, provided they account for 65% of the Union's population. Known as the "double majority" voting system, it hinges on two criteria: the number of member states and the percentage of the population. When the Council decides without a Commission proposal or without the High Representative's proposal, a qualified majority is achieved with 72% of Council members representing states that account for at least 65% of the EU population. This procedure is employed when a smaller number of states than those forming a blocking minority express opposition to decision-making by a qualified majority (Gron & Wivel, 2011). The Council is then obliged to strive for a compromise solution. This system aims to balance the influence of both larger and smaller member states, ensuring more democratic and efficient decision-making.

Another significant provision from the European Constitution is the co-decision procedure, now established as the regular legislative procedure. This applies to various areas related to environmental protection, including energy, tourism, civil protection, structural funds, and more. The Lisbon Treaty bolstered the legislative powers of the European Parliament, particularly concerning environmental policy. The ordinary legislative procedure, formerly known as the co-decision procedure, became the standard

method for adopting environmental legislation (Gron & Wivel, 2011). This procedure requires the European Parliament and the Council of the European Union to jointly adopt legislation, ensuring that both bodies play a crucial role in shaping environmental policies. The Parliament's enhanced role allows it to more effectively represent citizens' interests in promoting sustainable development and environmental protection.

National parliaments play a crucial role in the legislative process, evaluating the compliance of draft Union legislative acts with the principle of subsidiarity (Cremnona, 2008). This oversight ensures that the exercise of Union competences is controlled, especially since the Union tends to expand its competences gradually and subtly in this area. National parliaments can review draft EU legislation, including environmental proposals, to ensure that decisions are made at the most appropriate level. This mechanism allows national parliaments to issue reasoned opinions if they believe a proposal does not comply with the principle of subsidiarity, thereby providing an additional layer of scrutiny and accountability in environmental policymaking (Wisniewski, 2013).

The Lisbon Treaty reinforced the consultative role of the Committee of the Regions (CoR), which represents local and regional authorities within the EU. The CoR is involved in the legislative process by providing opinions on proposed environmental legislation, ensuring that regional and local perspectives are considered. This inclusion helps tailor environmental policies to the specific needs and conditions of different regions, promoting effective and localized environmental action.

The Court of Justice of the European Union (CJEU) plays a critical role in ensuring the consistent interpretation and application of EU environmental law. The Lisbon Treaty expanded the Court's jurisdiction, enhancing its ability to oversee compliance with environmental regulations. The CJEU can adjudicate cases brought by the European Commission against member states for failing to implement or adhere to EU environmental legislation, ensuring that environmental laws are uniformly applied across the Union.

The Lisbon Treaty brought significant changes to the European Union's institutional framework for external relations. It required time to operationalize the new institutions, develop a common understanding and working arrangements under the new provisions, and for the Court to begin assessing these practices within the new legal framework (Van Eeckhoutte & Corthaut, 2017).

CONCLUSION

Sustainable development and environmental protection have been fundamental goals for the European Union since its inception. The legal framework governing environmental issues in the EU draws from various sources, including primary sources such as founding treaties and their amendments, as well as secondary sources like regulations, directives, decisions, and recommendations. Additionally, international agreements joined by the EU, judgments and principles from the European Court of Justice, and soft law contribute to shaping EU environmental law.

In this study, the authors focus on analysing primary sources of law due to their pivotal role in defining fundamental environmental principles that influence other areas of EU policy. The EU's commitment to addressing environmental challenges and its evolving approach in this regard are evident through a chronological examination of the adoption and amendment of founding treaties, with particular attention given to the innovations introduced by the Lisbon Treaty.

There is a noticeable trend towards viewing the environment in a broader context, including considerations for animal welfare. Consequently, environmental activities are integrated into the EU's common foreign policy, aiming to foster environmental development in developing countries. Key objectives include poverty eradication, enhancing environmental quality, sustainable management of global natural resources, and supporting the development of international measures to achieve these goals.

The Lisbon Treaty introduces institutional and procedural changes, including a clearer delineation of competences, enhanced monitoring of the Union's activities, and the distinction between energy and civil society as distinct areas of action. These changes also affect decision-making processes within the EU. Overall, these developments underscore the progression towards European Union federalism, particularly evident in the environmental domain.

In conclusion, the Lisbon Treaty represented a significant step forward in reforming the environmental sector within the EU. By consolidating environmental policy, strengthening competences, integrating sustainable development goals, enhancing the institutional framework, promoting green growth, and fostering international cooperation, the treaty laid the groundwork for a more coherent, ambitious, and effective approach to environmental protection and sustainable development in Europe and beyond.

The notion of green economic growth stands as a cornerstone in the

development strategy of EU nations. It entails advancing towards the most resource-efficient, ecologically sound, and competitive economy possible. Furthermore, EU member states actively address ecological concerns within industrial production, with endeavors such as attracting greenfield investments and promoting renewable energy consumption fostering the advancement of green economic growth. However, there exist disparities among EU countries in achieving this objective. These differences stem from variations in macroeconomic conditions such as labor, capital, and gross domestic product, as well as from targeted efforts to implement sustainable development goals.

REFERENCES

- Conrad, M. "The European Citizens' Initiative." *Transnational Democracy in the EU at last* (2011): 5-22.
- Cremnona, M. "Coherence through Law: What difference will the Treaty of Lisbon make?" *Hamburg review of social sciences* 3, 1 (2008): 11–36.
- Čavoški, A. „Environmental Protection Reform in The European Union.“ *Pravni zapisi* 1, 1 (2010a): 171–182.
- Čavoški, A. *Međunarodno pravo i životna sredina*. Beograd: Misija OEBS u Srbiji, 2010b. (In Serbian)
- De Sadeleer, N. „Sustainable development in EU law: still a long way to go.“ *Jindal Global Law Review* 6 (2015): 39–60. <https://doi.org/10.1007/s41020-015-0009-0>.
- Dimopoulos, A. „The Effects of the Lisbon Treaty on the Principles and Objectives of the Common Commercial Policy.“ *European Foreign Affairs Review* 15, 2 (2010): 153–170.
- Duke, S. "Providing for European-Level Diplomacy after Lisbon: The Case of the European External Action Service", *The Hague Journal of Diplomacy* 4, 2 (2009): 211–233, doi: <https://doi.org/10.1163/187119109X440915>.
- Dudaš, A. „Principles of Environmental Policy in the Law of the European Union.“ *Collected Papers of the Faculty of Law in Novi Sad* 47, 3 (2013): 339–358.
- Dudaš, A. "Subsidiarity and Proportionality in the Shaping of EU Law on the Protection of the Environment." *Collected Papers of the Faculty of Law in Novi Sad* 49, 2 (2015): 697–712.
- Gron, C. H., & Wivel, A. "Maximizing Influence in the European Union after the Lisbon Treaty: From Small State Policy to Smart State Strategy." *Journal of European Integration* 33, 5 (2011): 523–539. <https://doi.org/10.1080/07036337.2010.546846>.
- Keller-Noellet, J. "The solidarity clause of the Lisbon Treaty's." *Tink Global-Act European* 16 (2011): 328-333.
- Knill, C. & Liefnerink, D. *Environmental politics in the European Union: Policy-making, implementation and patterns of multi-level governance*. Manchester University Press, 2013.
- Knill, C. & Liefnerink, D. *Environmental Policy in the EU*. 4th Edition, Routledge, 2021.
- Kwilinski, A., Lyulyov, O. & Pimonenko, T. Greenfield Investment as a Catalyst of Green Economic Growth. *Energies* 16, 5 (2023): 2372. <https://doi.org/10.3390/>

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- Lisbon Treaty (OJ C 306 of 17 December 2007)
- Longo, E. “The European Citizens’ initiative: too much democracy for EU polity?” *German Law Journal* 20, 2 (2019): 181–200. doi:10.1017/glj.2019.12
- Mammadov, S., Kala, N., Hajiyeva, K., Karimova, N., Guliyeva, A. „The European Union’s legislative process in the area of environmental protection in the context of the European environmental policy.“ *Acta Sci. Pol. Administratio Locorum* 23, 1 (2024): 115–131.
- Martinez, J. & Von Nolting, C. “Review: “Animal welfare” – A European concept.” *Animal* 17, 4 (2023): 100839, <https://doi.org/10.1016/j.animal.2023.100839>.
- Medeiros, E., & Van Der Zwet, A. “Evaluating Integrated Sustainable Urban Development Strategies: a methodological framework applied in Portugal.” *European Planning Studies* 28, 3 (2020): 563–582. <https://doi.org/10.1080/09654313.2019.1606898>
- Milošević, O. *Doktrina „Širokog polja procene“ u odlukama Evropskog suda za ljudska prava koja se tiču bioetičkih pitanja*. master rad, Beograd: Pravni fakultet Univerziteta Union u Beogradu. 2014. (In Serbian)
- Nigent, N. & Rhinard, M. “The European Commission and the European Union’s External Relations after the Lisbon Treaty.” *Twelfth Biennial Conference of the European Union Studies Association*, Boston, March 3–5, (2011): 1–29.
- Porumbescu, A. “The Evolution of the European Union as Global Actor in the Light of the Lisbon Treaty.” *Analele Universităţii din Craiova. Istorie*, 20 1, 27 (2015): 171–181.
- World Commission on Environment and Development. *Report of the World Commission on Environment and Development: Our Common Future*, 1987, UN Doc A/42/427, Accessed May 05, 2024. <https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf>.
- Wouters, Dirk. “The External Relations of the European Union Since Lisbon: A Practitioner’s Perspective.” In *The EU as a Global Actor—Bridging Legal Theory and Practice*. 65–86. Leiden: Brill Nijhoff, 2017.
- Rapačić, S. „Sustainable development as a factor in the energy dependency of the European Union.“ *Međunarodni problemi* 64, 3 (2012): 339–358.
- Single European Act (1986) (OJ L 169 of 29 June 1987).
- Todić, D. *Vodič kroz EU politike – Životna sredina*. Beograd: Evropski pokret u Srbiji, 2011. (In Serbian)
- Treaty of Amsterdam. (OJ C 340 of 10 November 1997).
- Treaty on European Union. (OJ C 191 of 29 July 1992).
- Treaty on European Union, amended by the Maastricht Treaty (Consolidated version, 1992 OJ C 224 of 31 August 1992).
- Treaty of Nice (OJ C 80 of 10 March 2001).
- Van Eeckhoutte, D. & Couthaut, T. „The Participation of the EU and its Member States in Multilateral Environmental Negotiations post Lisbon“, *Yearbook of European Law*, 36 (2017): 749–809. <https://doi.org/10.1093/yel/yex003>.
- Veron, P. & Sergejeff, K. “Reinvigorating human development in EU external action.” *Discussion paper* 296 (2021).
- Von Ondarza, N. & Parkes, R. *The EU in the face of disaster: Implementing the Lisbon Treaty’s solidarity clause*. SWP comments 9/2010, Berlin: Stiftung Wissenschaft

- und Politik (SWP), 2010.
- Wisniewski, E. ‘The Influence of the European Parliament on the European External Action Service.’ *European Foreign Affairs Review* 18, 1 (2013): 81–101.
- Wouters, J., Coppens, D., De Meester, B. “The European Union’s External Relations after the Lisbon Treaty”. In *The Lisbon Treaty*, edited by Griller, S., Ziller, J, 143–203. Schriftenreihe der Österreichischen Gesellschaft für Europaforschung (ECSA Austria) / European Community Studies Association of Austria Publication Series, 11 (2008). https://doi.org/10.1007/978-3-211-09429-7_7.
- Živković, T. „Harmonization of National Environmental Regulations with European Union Law.“ *Pravni zapisi* 5, 1 (2014): 197–216.
- Živković, T. Kaznenopravni aspekti inspekciskog nadzora u oblasti zaštite životne sredine u Republici Srbiji. doktorska disertacija, Beograd: Pravni fakultet Univerziteta Union u Beogradu, 2013. (In Serbian)

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