

ISEEH2014

15 – 19 JUNE 2014
in BUDWEIS, CZECH REPUBLIC

Second International Symposium on Ethics of Environmental Health

Enforcing environmental ethics in the objectives and concerns of environmental policies



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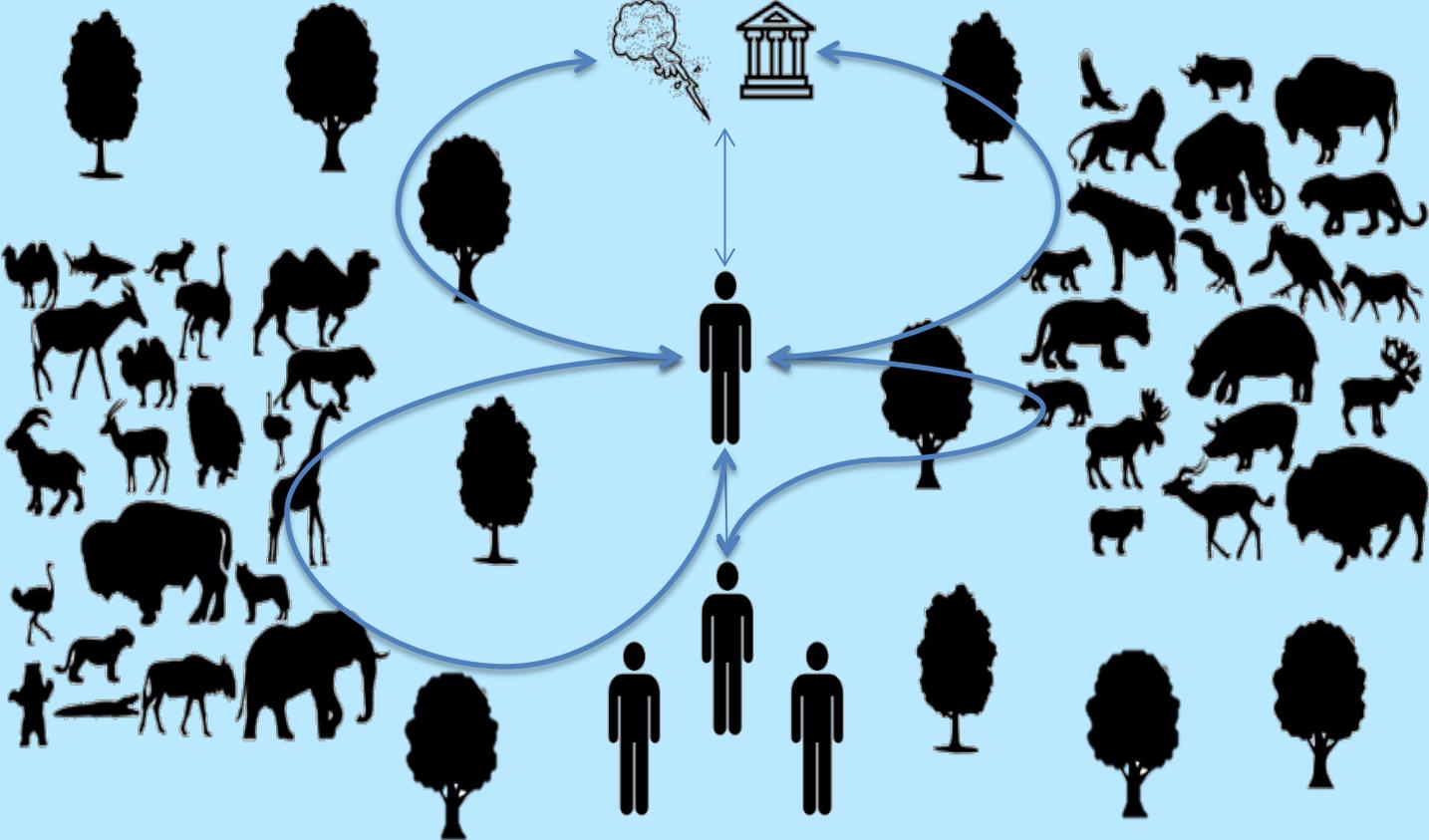
TRADITIONAL ETHICS

Ethics usually concerns **HUMAN BEINGS ONLY**

In **WESTERN THOUGHT**, the substantial identity between human beings and moral patients (recipients of actions judged from the ethical point of view) has historically prevented expanding moral concern beyond human communities.



TRADITIONAL ETHICS



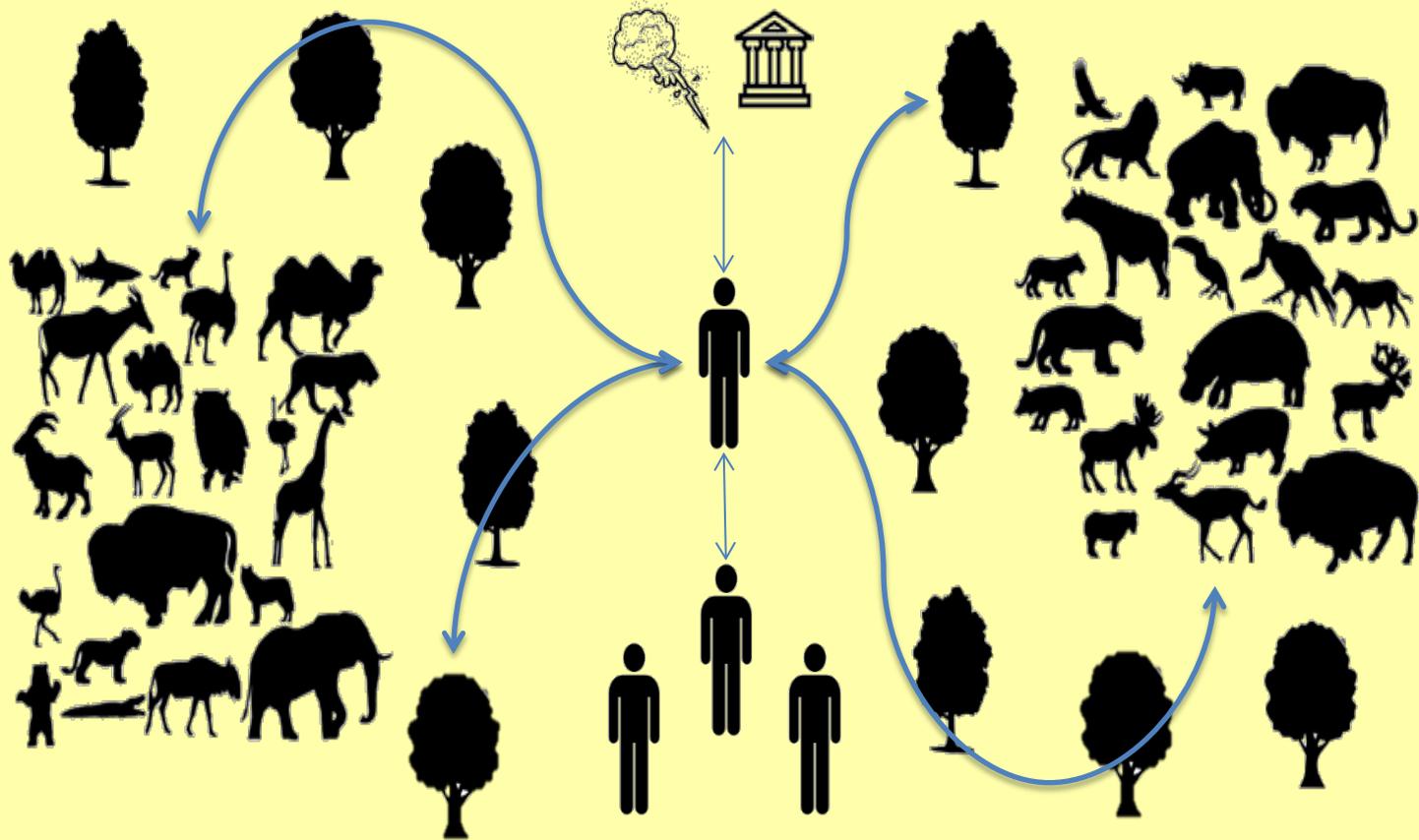
CONTEMPORARY CHALLENGE

Several environmental problems are currently seriously undermining the traditional belief that the moral community should be restricted to human beings only.

New scientific data together with recent scientific advances, indicating how human activities are jeopardizing ecosystem, urge for a paradigmatic change in our moral convictions.



CONTEMPORARY CHALLENGE





DILEMMA PET

ANIMALS LIKE THE OTHER

If pets should be protected because they are moral patients, then we must admit that all animals are moral patients. If pets are not moral patients, then they have only an instrumental value to us (company, guard, affective surrogates, etc..). In this latter case we should not condemn cultures that eat dogs or cats or suppress them.

DILEMMA DISTANCE

THE PROBLEM THAT YOU DO NOT SEE

A car with electrical motor seem to be a solution that respects the environment.

In reality, the electricity which makes them move derives in large part from the use of fossil fuels, which in this case pollute far from us.

So with electric cars we respect predominantly ourselves and our urban life.



ENVIRONMENTAL ETHICS

Environmental ethics has taken up the challenge and opened an extremely urgent and inspiring call for research.

This is the call for extending the status of moral patient up to 5 directions, identifying 7 new categories of moral patients, and approaching them from 4 different approaches.





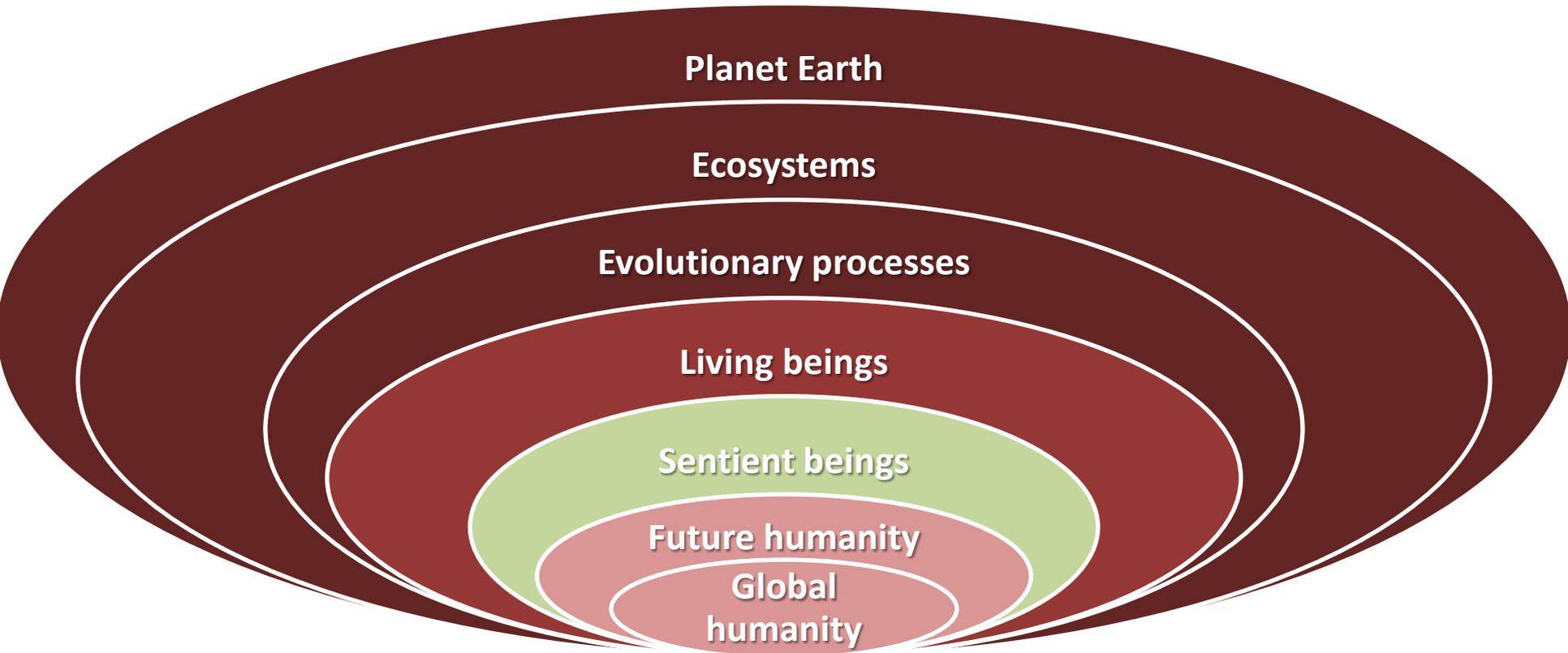
DIRECTIONS

- ★ beyond the geographical **SPACE**
- ★ beyond the present **TIME**
- ★ beyond human **SPECIES**
- ★ beyond **SENTIENCE**
- ★ beyond **SINGULARITY**

APPROACHES

- ★ WEAK ANTHROPOCENTRISM (space-time)
- ★ ZOOCENTRISM (species)
- ★ BIOCENTRISM (sentience)
- ★ ECOCENTRISM (singularity)

NEW TYPES OF MORAL PATIENTS





LIMITS AND MORAL

The need to pose **LIMITS** to our interaction with nature, recognizing the intrinsic **MORAL VALUES** and therefore admitting that there are several entities, **including non-human, with a MORAL STATUS**

ENVIRONMENTAL ETHICS

By extending its interest in unusual dimensions and by decentralizing its focus from moral agents, their relationships, the actions they have performed and their consequences, **environmental ethics questions who has a moral status and what kind of moral values we should preserve in nature.**



FROM THEORY TO PRACTICE

LIMITS OF HUMAN ACTION

Generally speaking, human interests are not more important than nature interests, in the sense that **promoting trivial human interests ought to not take always precedence** over advancing nature interests: some human interests may give way to moral values of nature. Only survival interests justify actively thwarting nature interests.



DIFFERENT VALUES

RESOLVE CONFLICTS

Without denying the **instrumental values** which are also in the relations between human beings, we should resolve conflicts of interest referring to **moral values**: the most appropriate category to adjust our ethical behavior in both general and specific situations.



Environmental ethics and enforcement

Care for our environment is something on which we must gain consensus, but it is also something that could require considerable enforcement.

Could rules lead to and govern virtuous intentions ?

How much environmental ethics should we put into environmental policies ?

How far such enforcement has and ought to go ?



Environmental ethics

Environmental goods

People will not and cannot be healthy in a sick environment.

Environmental goods have long been considered as **nature's gifts** but are now under threat.

Self-interest is easy enough to rationalize under the old rationale. This is the way we have been doing for decades.

Can what was right yesterday, be wrong today and tomorrow ?

What is social and legislative awareness about ?

Enforcement and liberty

Liberty is a virtue word: everybody wants it.

Enforce appears to be in contrast with liberty and has a negative perception: nobody wants to be forced.

An enforced ethics is incomplete. If people do not pollute in view of punishment their ethics may be considered only as nominal.

With enforcement, we can perhaps change habits, and then the behavior may be internalized.

Enforced ethics could be considered as necessary, and at the same time as not sufficient in the frame of environmental ethics ?





Efforts towards a different behaviour

The need to harmonize environmental knowledge with ethical values, to achieve behavioral changes and internalize ethical values, is well present in some recent efforts and experiences, recently promoted by the European Union.

The European Union (EU) sets the policy frame for almost all environmental regulation in the Member States.

European EAP

- **1st EAP 1973-1976**
- **2nd EAP 1977-1981**
- **3rd EAP 1982-1986**
- **4th EAP 1987-1992**
- **5th EAP 1993-2002**
- **6th EAP 2002-2012**

The European Environmental Action Programmes (EAP) are political declarations of intent which take all the measures planned for a certain period, place them in an overall context and set priorities.



7th EAP priority objectives

Healthy environment for healthy people



DECISIONS **20 November 2013**

DECISION No 1386/2013/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 November 2013

on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet'

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(3) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

(1) The Union has set itself the objective of becoming a smart, sustainable and inclusive economy by 2020 with a set of policies and actions aimed at making it a low-carbon and resource-efficient economy ⁽⁴⁾.

(2) Successive environment action programmes have provided the framework for Union action in the field of the environment since 1973.

(3) The Sixth Community Environment Action Programme ⁽⁵⁾ (6th EAP) ended in July 2012, but many measures and actions launched under that programme continue to be implemented.

(4) The final assessment of the 6th EAP concluded that the programme delivered benefits for the environment and provided an overarching strategic direction for environment policy. Despite those achievements, unsustainable trends still persist in the four priority areas identified in the 6th EAP: climate change; nature and biodiversity; environment and health and quality of life; and natural resources and wastes.

(5) The final assessment of the 6th EAP highlighted some shortcomings. The achievement of the objectives set out in the Seventh Environment Action Programme (7th EAP) therefore requires the full commitment of the Member States and the relevant Union institutions and the willingness to take responsibility for the delivery of the programme's intended benefits.

(6) According to the report of the European Environment Agency entitled 'The European environment – state and outlook 2010' (SOER 2010) a number of major environmental challenges still remain, and serious repercussions will ensue if nothing is done to address them.

(7) Global systemic trends and challenges, related to population dynamics, urbanisation, disease and pandemics, accelerating technological change and unsustainable economic growth add to the complexity of tackling environmental challenges and achieving long-term sustainable development. Ensuring the Union's long-term prosperity requires taking further action to address those challenges.

⁽¹⁾ OJ C 161, 6.6.2013, p. 77.

⁽²⁾ OJ C 218, 30.7.2013, p. 53.

⁽³⁾ Position of the European Parliament of 24 October 2013 (not yet published in the Official Journal) and decision of the Council of 15 November 2013.

⁽⁴⁾ COM(2010) 2020 and European Council conclusions of 17 June 2010 (EUCO 13/10).

⁽⁵⁾ Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme (OJ L 242, 10.9.2002, p. 1).

(32) The 7th EAP should support the implementation, within the Union and at international level, of the outcomes of, and commitments undertaken at, the 2012 United Nations Conference on Sustainable Development (Rio + 20) and which aim to transform the global economy into an inclusive and green economy in the context of sustainable development and poverty reduction.



Subsustainable development

Environmental ethics

Sustainable development is implicitly and explicitly present in different parts of the EU EAP and can be seen as an **attempt to minimize the trade-off between economic growth and environmental protection** and as the approach that meets the needs of the present without compromising the ability of **future generations** to meet their own needs.



Subsustainable development

Environmental ethics

The action programmes to ensure the promotion of economically, socially and environmentally sustainable future for our planet **attract consensus**

The environmental decision making by the governments, business companies or individuals **cannot be separated from a level of ethics.**

Subsustainable development

Environmental ethics

Environmental management also rests on questions of ethics.

Should reference to environmental ethics be explicitly incorporated into action programmes ?

Should a greater emphasis on the environmental protection be desirable ?

- A turn to '*ecological sustainability*', may be a meaningful shift to prioritise environmental protection.
- An introduction on ethics attention to the **more-than-humans** (name proposed by UNEP as for non-humans) could bring new emphasis.



Sustainable development

Environmental ethics

- The concept of sustainable development tries to put aside the perception given by ecological attention and environmental protection.
- The need to protect non-human species, now widely accepted, remains linked to an ethical approach perceived as something which rests on individual choices.



Integrating sustainable development
and ecological sustainability:
Sustainable Culture

II

(Non-legislative acts)

3 December 2013

DIRECTIVES

COUNCIL DIRECTIVE 2013/59/EURATOM

of 5 December 2013

laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 31 and 32 thereof,

Having regard to the proposal from the European Commission, drawn up after having obtained the opinion of a group of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States, and after having consulted the European Economic and Social Committee,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the European Economic and Social Committee,

Whereas:

- (1) Point (b) of Article 2 of the Euratom Treaty provides for the establishment of uniform safety standards to protect the health of workers and of the general public. Article 30 of the Euratom Treaty defines "basic standards" for the protection of the health of workers and the general public against the dangers arising from ionising radiations.
- (2) In order to perform its task, the Community laid down basic standards for the first time in 1959 by means of Directives of 2 February 1959 laying down the basic standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation⁽¹⁾. The Directives have been revised several times, most recently by Council Directive 96/29/Euratom⁽²⁾ which repealed the earlier Directives.

⁽¹⁾ OJ L 11, 20.2.1959, p. 221.

⁽²⁾ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation (OJ L 159, 29.6.1996, p. 1).

- (3) Directive 96/29/Euratom establishes the basic safety standards. The provisions of that Directive apply to normal and emergency situations and have been supplemented by more specific legislation.

- (4) Council Directive 97/43/Euratom⁽³⁾, Council Directive 89/618/Euratom⁽⁴⁾, Council Directive 90/641/Euratom⁽⁵⁾ and Council Directive 2003/122/Euratom⁽⁶⁾ cover different specific aspects complementary to Directive 96/29/Euratom.

- (5) As recognised by the Court of Justice of the European Union in its case-law, the tasks imposed on the Community by point (b) of Article 2 of the Euratom Treaty to lay down uniform safety standards to protect the health of workers and the general public does not preclude, unless explicitly stated in the standards, a Member State from providing for more stringent measures of protection. As this Directive provides for minimum rules, Member States should be free to adopt or maintain more stringent measures in the subject-matter covered by this Directive, without prejudice to the free movement of goods and services in the internal market as defined by the case-law of the Court of Justice.

- (6) The Group of Experts appointed by the Scientific and Technical Committee has advised that the basic safety

⁽³⁾ Council Directive 97/43/Euratom of 30 June 1997 on health protection of individuals against the dangers of ionising radiation in relation to medical exposure, and repealing Directive 84/466/Euratom (OJ L 180, 9.7.1997, p. 22).

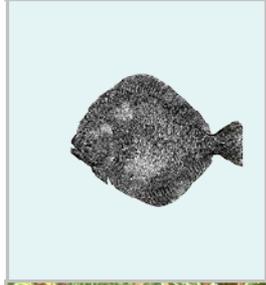
⁽⁴⁾ Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency (OJ L 357, 7.12.1989, p. 31).

⁽⁵⁾ Council Directive 90/641/Euratom of 4 December 1990 on the operational protection of outside workers exposed to the risk of ionising radiation during their activities in controlled areas (OJ L 349, 13.12.1990, p. 21).

⁽⁶⁾ Council Directive 2003/122/Euratom of 22 December 2003 on the control of high-activity sealed radioactive sources and orphan sources (OJ L 346, 31.12.2003, p. 57).

“(1) Article 30 of the Euratom Treaty defines "basic standards" for the protection of the health of workers and the general public against the dangers arising from ionising radiations.”

“(6) ... should take into account the new recommendations of the International Commission on Radiological Protection (ICRP) in particular those in ICRP Publ 103, and should be revised in the light of new scientific evidence and operational experience.”

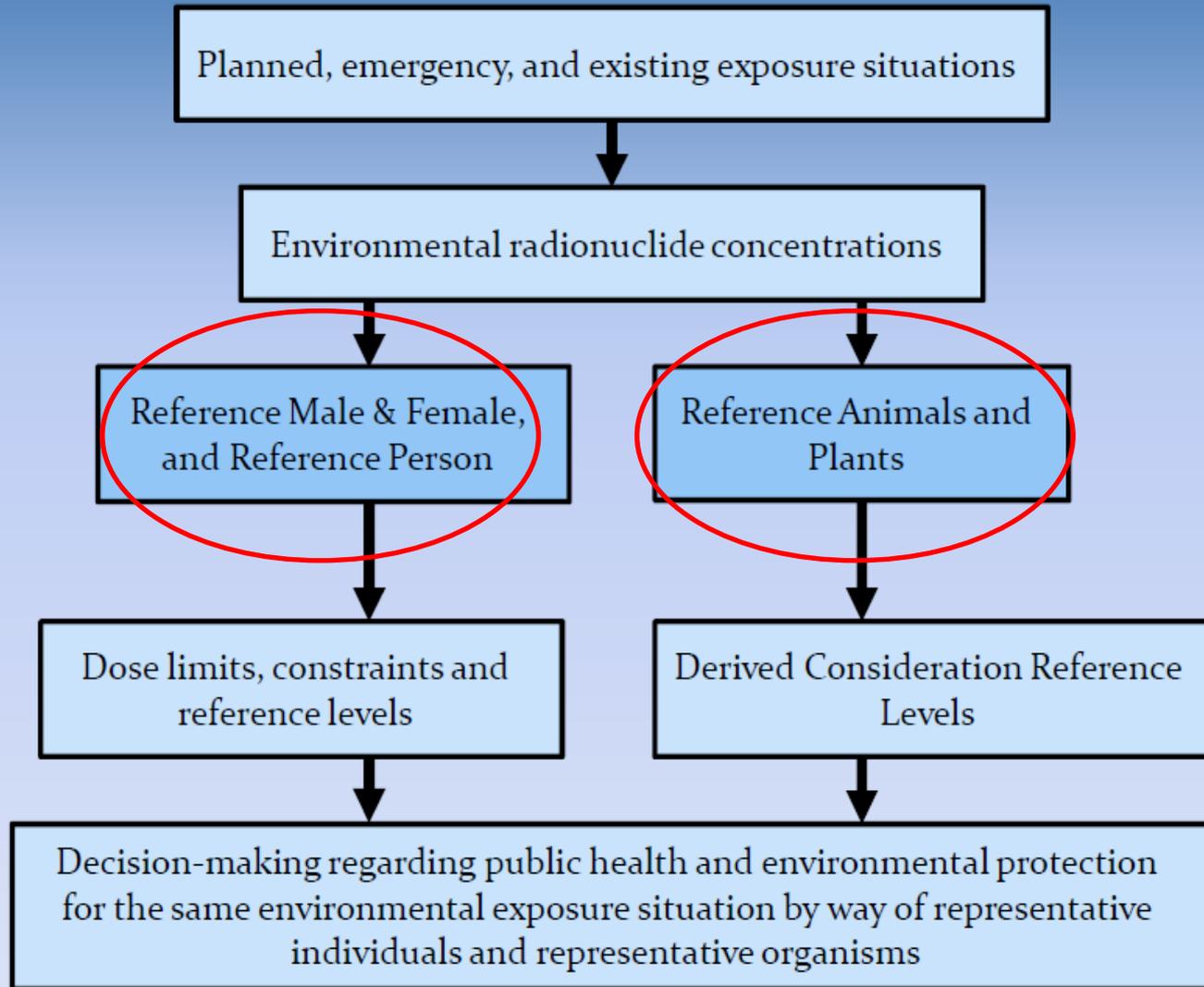


Global needs towards the protection of the environment - ICRP

“(361) The Commission acknowledges that, in contrast to human radiological protection, the **objectives of environmental protection are both complex and difficult to articulate.** The Commission does however subscribe to the **global needs and efforts required to maintain biological diversity, to ensure the conservation of species, and to protect the health and status of natural habitats, communities, and ecosystems.**”

ICRP Recommendations, ICRP 103, 2007

Evolution of two parallel pathways



EU DIRECTIVE and ENVIRONMENT

In line with ICRP, as well as with the outcome of EU funded research projects, **an enforcement in the EU DIRECTIVE was expected for the protection of the environment** from the effects of ionizing radiation, with a specific attention to the biota.

➡ In the DIRECTIVE 2013/59 “Protection of the Environment” is no longer included, with respect to the distributed drafts (2010 → 2012)

A missed opportunity for the enforcement of the protection of the environment?

FINAL REMARKS

Environmental Ethics seems **not to be fully present** and diffused in both the institutional policies and the public.

The involvement and confrontation of stakeholders can be useful **to stimulate reflection on this issue**, to increase the level of knowledge and awareness of the same .

Enforcing an approach to environmental protection based on environmental ethics could contribute to a good level of **understanding and awareness**, to support changes of habits, and to internalize such behavior.

Incorporate ethics into environmental awareness and education.

Increasing consensus, understanding and knowledge.

Promoting dialogues between different cultures and different personal involvement.

Thank you for your attention



BUDWEIS, CZECH REPUBLIC