ENSURING HUMAN RIGHTS IN CIRCULAR ECONOMY PRACTICES: LEGAL STRATEGIES AND DISPUTE RESOLUTION OFFERED BY THE EUROPEAN CIRCULAR ECONOMY ACTION PLAN

ASIGURAREA DREPTURILOR OMULUI ÎN PRACTICILE ECONOMIEI CIRCULARE: STRATEGII JURIDICE ȘI SOLUȚIONARE A LITIGIILOR OFERITE DE PLANUL DE ACȚIUNI ÎN ECONOMIA CIRCULARĂ EUROPEANĂ

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Summary. *This research aims to highlight that implementing circular economy practices in addition to ensuring human rights represent a significant step towards sustainable development. While current legal frameworks do provide a strong foundation in this sense, with its main lead being the European Circular Economy Action Plan, ongoing improvements and research are needed in order to fully grasp the concept of intersection of human rights within CEAP practices. This research addresses some issues which are to be redressed and methods of doing so, mainly community health and environmental justice. The research also mentions the impact of the European Circular Economy Action Plan on European countries strategy plans regarding circular economy.*

Keywords: *Circular economy, community health, environmental justice, marginalized communities, waste management.*

INTRODUCTION

The notion of circular economy encompasses a variety of processes which aim to extend the lifecycle of products, such as promoting sustainable resource use for waste reduction and a transformative approach to production and consumption. The earth's life-support system is being increasingly jeopardized by environmental problems, mainly biodiversity loss and excessive land use [1, p.5]. The circular economy, unlike linear economy, emphasizes the need to use resources efficiently and prioritizing the regeneration of natural systems and holds an undoubtable importance in sustainable development, as it not only addresses issues such as resource depletion, but it also promotes economic resilience and innovation in this domain.

The European Union is one of the foundation pillars in the integration of circular economy in our society as a whole, emerging as a global leader in advancing principles promoted by circular economy, and its commitment in doing so is enshrined by multiple

strategic initiatives, culminating with *the European Circular Economy Action Plan [2, p*. 5], which provides steps to be taken in order to ascend toward an economic paradigm that is more sustainable.

The protection of human rights is directly impacted by the adoption of circular economy practices, as human rights considerations such as community health and fair labor practices are directly influenced by the manner in which existing resources are managed. Environmental justice, on the other hand, is also a critical concern in the context of implementing circular economy practices as it seeks to ensure that environmental benefits and burdens are distributed fairly and equitably. Circular economy practices aim to stop the social and environmental inequalities that inadvertently arise and only effective legal frameworks and dispute resolution mechanisms are capable of upholding and implementing them in our society. Legal strategies protect human rights and provide environmental justice while offering the regulatory support required to carry out circular economy practices, while dispute resolution systems provide a means of resolving potential conflicts and offer a guarantee that all parties involved have the opportunity to pursue accountability and redress. This research aims to analyze key policies and legal frameworks which support circular economy in the European union, explore the intersection of circular economy initiatives with human rights and environmental justice and analyze existing dispute resolution mechanisms related to circular economy practices, including their accessibility and efficiency.

In order to achieve sustainable and equitable economic transformation, the EU's legal strategies and dispute resolution mechanisms are essential for bringing circular economy practices into compliance with human rights and environmental justice principles. However, the challenges associated with their implementation must be taken into consideration.

MATERIAL AND METHOD

The circular economy action plan, introduced by the European Commission, outlines the European Union's approach to transitioning towards a circular economy by addressing, as mentioned aforehand, issues such like community health, fair labor practice and environmental justice. Firstly, by reduction of waste and pollution minimization under CEAP principles, the plan helps protect the health of communities, particularly those affected by environmental contaminants. A very revelatory example in this sense is the case of the large steel plant, Ilva, located in Taranto, Italy [3, p. 6], which causes severe air and soil pollution and leads to high cancer rates. Another example would be the case of the region Silesia, Poland [4, p. 6], which is heavily industrialized with coal mining and steel production, greatly affecting the health of local communities. Secondly, by advocating for fair labor practices within the circular economy framework, CEAP principles aim to ensure that workers involved in waste management operations are provided with fair wages and safe working conditions. The Eulen Case is a very good example in why CEAP principles are needed in our society: Back in 2013, waste management workers in Madrid went on strike against Eulen [5, p. 6], a company contracted by the

city for waste collection management, protesting unfair layoffs and wage cuts. The strike consequently imploded to a significant public outcry which resulted in more favorable conditions for the workers. Thirdly, the CEAP addresses environmental justice by promoting equitable access to resources and preventing environmental burdens from being disproportionately borne by marginalized communities. It is incomprehensible, in a developed society, for the state to allow marginalized communities, such as the Romani community living near the Pata Rat landfill in Cluj-Napoca [6, p. 6], to face severe health hazards by being exposed to toxic fumes, contaminated water and poor living conditions just because it is inconvenient to take measures in this aspect.

The issues raised above highlight the importance of effective implementation of CEAP principles into concrete legal strategies, and as EU has developed several legal frameworks to support this integration, starting with *The Waste Framework Directive* [7, p. 6], which provides a legal foundation for waste reduction and recycling by setting very clear requirements for member states and allowing them to implement them by their own legislative transposition processes, the waste management practices started to align with environmental and health standards. Another effective regulation is *The Eco-design Directive* [8, p. 6], which mandates that products placed on the EU market to meet specific environmental criteria, ensuring that products contribute to a sustainable economy while simultaneously protecting consumer rights. Also, The EU uses a number of procedures to settle disagreements and guarantee adherence to CEAP goals, the so-called dispute resolution mechanisms: Judicial and Administrative Mechanisms are crucial and effective tools in this regard, as The Court of Justice of the European Union not only provides a judicial avenue for resolving disputes, it also interprets EU laws and ensure their uniform application. The European Commission, on the other hand, is in charge of enforcing EU regulations and has the authority to file infringement lawsuits against member states that disregard CEAP directives.

A major step toward a more just and sustainable economic model in the European Union is the Circular Economy Action Plan and it may just guarantee that the shift to a circular economy promotes environmental justice, fair labor standards, and community health by including human rights issues into its framework. In order to completely achieve the objectives of sustainable and equitable economic transformation, continuous innovation and improvement are required, as evidenced by the EU's legislative strategies and dispute resolution procedures, which are crucial for bringing circular economy activities into compliance with these principles.

RESULTS AND DISCUSSIONS

As mentioned aforehand, the European Union has established a comprehensive legal framework to support the transition to a circular economy by implementing key policies and directives and as these frameworks do provide a solid foundation, significant gaps remain in fully integrating human rights in environmental justice considerations.

Even if they are being addressed, some issues that require more attention are the equal sharing of environmental benefits and liabilities among communities and the protection of labor rights in the recycling sector. *Amsterdam's Circular Strat*egy [9, p. 6] is an initiative of Netherlands to become fully circular by 2050, and the city has already taken action to fairly spread the advantages of CE practices, such as the development of jobs and better living circumstances, and to involve local people in decision-making processes. Another example is the *effective recycling program in Germany [10, p.* 6], which also provides a template for incorporating environmental justice into CE. Strict laws are being implemented throughout the whole country to guarantee that recycling facilities operate with the least possible negative environmental impact and that the economic opportunities created by the CE sector benefit all areas. These programs are direct results of the great efforts of the European Union's implementation of the European Circular Economy Action Plan and aim to prioritize community involvement, equitable distribution of benefits, new employment opportunities and improved living conditions, while safeguarding human rights.

Even while Germany and Amsterdam have made great progress in incorporating environmental justice into their circular economy policies, there are still a number of obstacles to overcome in order to guarantee equal benefits and alleviate the costs associated with waste management. Numerous socioeconomic, political, and infrastructure reasons are the root cause of these difficulties, starting with Economic Disparities, as not all communities have the same level of access to resources that facilitate participation in circular economy practices; Regulatory challenges pose problems too, as even with sturdy policies, the implementation of such ambitious programs may be inconsistent; Community Engagement and Awareness is a very sensible area, as cultural differences and different level of environmental awareness greatly affect the way communities participate in circular economy initiatives.

Addressing these challenges imply designing inclusive policies, with input from marginalized communities, investing in underserved areas in order to ensure equal access and enhance community engagement through educational programs.

CONCLUSIONS

This research has examined the critical role of legal frameworks related to the European Circular Economy Action Plan practices and how they align with human rights policies. The EU's shift to a circular economy is largely being driven by the *Circular Economy Action Plan*. This policy places a strong emphasis on sustainable production and consumption, waste reduction, and resource efficiency. Furthermore, it incorporates human rights and environmental justice principles by advocating for fair labor standards and guaranteeing an equitable distribution of environmental benefits and responsibilities.

This research yields some important practice recommendations for better integrating circular economy activities with human rights and environmental justice, and it is

being highlighted that regulatory authorities must be better equipped to oversee and enforce adherence to CEAP-related legislation. Maintaining fair working conditions in the circular economy requires consistent protection of labor rights in each of the member nations. Furthermore, in order to stop environmental injustices, strict adherence to environmental standards is required. This includes establishing strict guidelines and making sure they are uniformly applied in all areas and industries to safeguard communities from unjustifiable environmental costs.Promoting increased community participation in CE practice decision-making procedures can aid in guaranteeing that these procedures represent the interests and rights of all parties involved. Participatory methods can produce more sustainable and fair results. This can be accomplished by implementing procedures like community advisory boards, participatory budgeting, and public consultations, which give interested parties a forum to express their concerns and have an impact on policy choices.

In summary, integrating the ideas of environmental justice and human rights with the circular economy necessitates a multipronged strategy that fortifies enforcement channels, raises public awareness and accessibility, incorporates justice principles into legislation, and fosters community involvement. The European Union can guarantee that its shift to a circular economy is both socially and environmentally justifiable by implementing these proposals.

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