

“SUSTAINABLE DEVELOPMENT” IN CONTEMPORARY EU LAW: SOLVING THE SEMANTIC PUZZLE

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Abstract: *The term “sustainable development” has become an iconic and omnipresent expression reaching the dimension of a command in the European Union. However, it is an ephemeral term with ambiguous and contradictory meanings employed in different manners and contexts in current EU law. In this plethora of opinions, the very content is challenged and the entire modern concept of “sustainable development” might lose its momentum. This leads to the burning issue of its deeper understanding, interpretation and application, which can be holistically addressed by identifying the roots of the term, and engaging with the interpretation of EU primary, secondary and supplementary law referring to it. The juxtaposition of these findings suggests that the term “sustainable development” is a semantic puzzle with a solution.*

Keywords: *EU law, responsibility, sustainable development*

INTRODUCTION¹

Over the last nearly forty years, the modern concept of sustainability emerged under the auspices of the United Nations (“UN”) with the famous UN Annex to document A/42/427 Report of the World Commission on Environment and Development Report: Our Common Future from 1987 (“Brundtland Report”).² The definition of “sustainable development” that emerged from it is perhaps one of the most cited definitions in the EU – “Humanity has the ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. The concept of sustainable development does imply limits – not absolute limits but limitations imposed by the present state of technology and social organization on environmental resources and by the ability of the biosphere to absorb the effects of human activities.” (Art. 3.27 Brundtland Report).

The iconic three pillars structure, i.e. the economic, environmental and social overlapping dimensions, was implied by the Brundtland Report and more explicitly expressed by a Declaration at the UN Conference on Environment and Development in Rio de Janeiro in 1992 (“Agenda 21”).³ Its evolution on the international level reached a milestone in 2015, when world leaders adopted UN Resolution A/RES/71/1 Transforming our world: the 2030 Agenda for Sustainable development (“Agenda 2030”), which brought forth the famous 17 Sustainable Development Goals (“SDGs”) and 169 targets.⁴

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¹ This paper is the result of a UNYP internal research project.

² MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. The EU puzzling CSR regime and the confused perception by ambassadors of luxury fashion businesses: A case study from Pařížská. *Central European Business Review*. 2020, Vol. 9, No. 3, pp. 74-108. <<https://doi.org/10.18267/j.cebr.240>>.

³ PURVIS, B., MOA, Y., ROBINSON, D. Three pillars of sustainability: in search of conceptual origins. *Sustainability Science*. 2021, Vol. 14, No. 3, pp. 681–95. <<https://doi.org/10.1007/s11625-018-0627-5>>.

The EU has clearly joined in and endorsed this international pro-sustainability drive and this even on its primary law level, i.e. basically via its constitutional triangle – the Treaty on EU (“TEU”), the Treaty on EEC/EC renamed Treaty on the Functioning of EU (“TFEU”) and the Charter of Fundamental Rights of the EU (“Charter”). Promptly after the appearance of the UN Brundtland Report and Agenda 21, primary EU law was changed by explicitly moving from the original objective “*to promote economic and social progress which is balanced and sustainable*”, as stated by the Maastricht Treaty version of TEU in 1992, to the objective “*to promote economic and social progress and a high level of employment and to achieve balanced and sustainable development ...*” as stated by the Amsterdam Treaty version of TEU in 1997. Thereafter, sustainable development became a priority of the EU explicitly projected in key strategies and policies as well as law, see e.g. the Directive 2013/34/EU on annual financial statements, consolidated financial statements and related reports (“Accounting Directive”). This was magnified and solidified by amendments of the Accounting Directive, especially by amendments via Directive 2014/95/EU as regards the disclosure of non-financial and diversity information by certain large undertakings and groups (“NFRD”) and via Directive (EU) 2022/2464 as regards corporate sustainability reporting (“CSRD”). This development occurred in the context and in the aftermath of UN Agenda 2030, during the era of the demand for a shared responsibility and multi-stakeholder approach and more vigorous implementations of SDGs in the EU.⁵ Attention must be given to not only the EU primary law trio, but as well a myriad of secondary EU law instruments entailing both Regulations, along with cases of the Court of Justice of EU (“CJ EU”).

This embedding of the ephemeral (evolving?) term “sustainable development” in EU law is obvious, while conceptual and terminological ambiguity is not overcome. Questions regarding the meaning and priorities remain, such as the question of the conflicting prevalence (typically juxtaposing environmental and social concerns) and even the feasibility (typically juxtaposing economic concerns to environmental and social concerns). Consequently, the term “sustainable development” is manipulated and misunderstood and represents an inherent linguistic contradiction.⁶ Arguably, it is doomed due to its lack of pragmatism, disinterest for compromising and balancing and, ultimately, its incapacity to inspire the very needed support across the entire society via a multi-stakeholder model. This discourse has been taking place on various platforms in a multi-disciplinary manner. Clearly, in order to appreciate this issue, the meaning, understanding and application of the term “sustainable development” in current EU law needs to be holistically identified and explored. The very first step in this undertaking is to analyze, both contextually and semantically, the prevailing perception of the term “sustainable development” in EU law.

⁴ MacGREGOR PELIKÁNOVÁ, R. Corporate Social Responsibility Information in Annual Reports in the EU – Czech Case Study. *Sustainability*. 2019, Vol. 11, p. 237. <<https://doi.org/10.3390/su11010237>>.

⁵ BORCHARDT, S. et al. *Mapping EU Policies with the 2030 Agenda and SDGs*. Luxembourg: Publications Office of the European Union, 2022. <<https://dox.doi.org/10.2760/110687>>.

⁶ “*In its physical aspects, the economy is an open subsystem of the terrestrial ecosystem, which is finite in material resources. As the economic subsystem grows, it incorporates an increasing proportion of the total ecosystem. For this reason, development is not sustainable. The term sustainable development, as it applies to the economy, is a contradiction....*” See at DALY, H. E. Sustainable development: a contradiction. *Desarro Base*. 1991, Vol. 15, No. 3, p. 39.

Naturally, considering the particularities of the EU law setting, a literal approach is merely the starting instrument and the dominating one is a comparative, contextual teleological approach.⁷ Therefore, after reviewing the conceptual, historical and international law foundations (II.) and setting proper materials and methods (III.), the term “sustainable development” is to be analyzed in EU primary law (IV.), secondary law (V.) and supplementary law, consisting of case law (VI.). The research and methodological processing performed should bring fresh perspectives, allow for juxtapositions of the proposed results and, ultimately, lead to an explanation about the real meaning of the term “sustainable development” in current EU law.

I. CONCEPTUAL, HISTORICAL AND INTERNATIONAL LAW FOUNDATIONS OF “SUSTAINABLE DEVELOPMENT”

Sustainability has millennial roots which reflect predominantly the continental law tradition.⁸ Sustainability has always mirrored value judgments about justice in the distribution and use of resources.⁹ It is tied to Aristotle’s teaching distinguishing general justice and particular justice, which can be either distributive (diagonal conjunction) via *appreciative/vindictive* public justice or corrective (average formation) via *rectificatory* private justice. For over two millennia, these ideas of Aristotle have provided the general direction for the future.¹⁰ The multi-spectral commitment to sustainability and long-term preferences over immediate consumption gratification was one of the key factors for the long glory of the Ancient Roman Empire. The erosion of this economic, environmental and social commitment contributed to the fall of both the Western, and later even the Eastern, Roman Empires.¹¹

This originally agriculture-based concept of sustainable development made the transition into Europe in the Middle Ages thanks to the *canonic* unification, the development of monastic education centres and the foundation of universities, in particular those reflecting the Roman heritage incorporated in the *Corpus Iuris Civilis* of the Byzantine Emperor, Justinian I., and his famous wife, Theodora. The Italian Renaissance Republics, the French royal, Polish ecclesiastic and Czech aristocratic managements, and the Hanseatic League, as a rather informal medieval commercial and defensive confederation of merchant guilds and market towns between the 12th and 17th centuries, added business and industrial perspectives, went from the local to the regional dimension and led to the *Nachhaltigkeit* and *Nachhaltige Entwicklung*. Arguably, Hansa created the first common market

⁷ BRITAIN, S. Justifying the Teleological Methodology of the European Court of Justice: A Rebuttal. *Irish Jurist*. 2016, Vol. 55, pp. 134–165.

⁸ MacGREGOR PELIKÁNOVÁ, R., SANI, M. Luxury, Slow and Fast Fashion – A Case study on the (Un)sustainable Creating of Shared Values. *Equilibrium. Quarterly Journal of Economics and Economic Policy*. 2023, Vol. 18, No. 3, pp. 813–851. <<https://doi.org/10.24136/eq.2023.026>>.

⁹ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The EU puzzling CSR regime and the confused perception by ambassadors of luxury fashion businesses: A case study from Pařížská*. pp. 74–108.

¹⁰ BALCERZAK, A., MacGREGOR PELIKÁNOVÁ, R. Projection of SDGs in codes of ethics – case study about lost in translation? *Administrative Sciences*. 2020, Vol. 10, No. 4, p. 95. <<https://doi.org/10.3390/admsci10040095>>.

¹¹ HARPER, K. The Environmental Fall of the Roman Empire. *Daedalus*. 2016, Vol. 145, No. 2, pp. 101–111.

with developed common trade regulations in Europe¹² and advanced particular trade uniformity and adaptability leading to the “Europeanization” of Scandinavia and the Baltics.¹³

In 1713, the German Colbertist, Hans Carl von Carlowitz, followed the Hansa tradition and discussed it in his book, *Sylvicultura Oeconomica*, in the context of the management of a forest, while focusing on the need to keep producing wood in the same territory and not to produce more wood in more territories aka *nachhaltende Nutzung*. In his endeavours, Carlowitz relied on, and further developed, two prior models in particular “Sylva or a Discourse of Forest Trees and the Propagation of Timber and His Majesties Dominions” (1662) by John Evelyn and “*Grande Ordonnance forestiere sur le fait des Eaux et Forêts*” by Jean Baptist Colbert (1669).¹⁴ Evelyn’s strategy and Colbert’s Ordonnance, under the motto “*La France perira faute de bois*”, targeted the society at large with the aim to induce a general good husbandry regarding forest, wood, timber and their ongoing preservation. The starting point for Carlowitz was exactly the same, having been born in an old forest managing family from Saxony. He became the head of the mining administration of August I. and his 400-page-long “*Sylvicultura oeconomica*” (1713) criticized quick profits which cause irreparable damage, advanced the term *nachhaltig* in the sense of the continuation and sustained usage by future generations, and even addressed social ethics, while referring heavily to the Bible, in particular to Genesis. Von Carlowitz even moved to consider the lavish, wasteful and harmful usage of nature as a sin and to suggest that subsistence must be maintained and everybody nourished.¹⁵ Later on, Emil André addressed, in his book “*Einfachste den höchsten Ertrag und die Nachhaltigkeit ganz sicher stellende Forstwirtschafts-Methode*” (1832), the increasing demands (“what was a good war 10 years ago, is not anymore”) by underlying a pragmatic approach. The focus was clearly on the continuation and renewal aspect of *Nachhaltigkeit* and *Nachhaltige Entwicklung* within one local territory and one industry. General feasibility problems were observed within Malthusian population theory, which suggested that the geometric progression of human population growth, while gaining subsistence with the help of new technologies and other intellectual property assets, can only have growth in an arithmetical progression, i.e., that ultimately, natural resources would be exhausted.¹⁶

In 1945, the UN was founded as an international organization and already in 1948 the UN General Assembly proclaimed the Universal Declaration of Human Rights (“UDHR”).¹⁷ Interestingly, the UDHR can be understood as a move from regional and one or more industry focused continuous long-term production to a global, eternal and more pro-sustainable oriented production,¹⁸ (see “*Everyone has the right to a standard of living adequate*

¹² HALIDAY, S. The First Common Market? The Hanseatic League. *History Today*. 2009, Vol. 59, No. 7.

¹³ GROHSE, I. P. The German Hansa and Bergen 1100-1600. *Scandinavian Journal of History*. 2015, Vol. 40, No. 1., pp. 119–123. <<https://doi.org/10.1080/03468755.2014.968754>>.

¹⁴ GROBER, U. *Deep roots – A conceptual history of ‘sustainable development’ (Nachhaltigkeit)*. Berlin: Wissenschaftszentrum Berlin für Sozialforschung (WZB), 2007.

¹⁵ GROBER, U. *Deep roots – A conceptual history of ‘sustainable development’ (Nachhaltigkeit)*.

¹⁶ DIXON, J. A., FALLON, L. A. The concept of sustainability: Origins, extensions, and usefulness for policy. *Society & Natural Resources*. 1989, Vol. 2, No. 1, pp. 73–84. <<https://doi.org/10.1080/08941928909380675>>.

¹⁷ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The EU puzzling CSR regime and the confused perception by ambassadors of luxury fashion businesses: A case study from Pařížská*. pp. 74–108.

¹⁸ SCHÜZ, M. Sustainable Corporate Responsibility – The Foundation of successful Business in the New Millennium. *Central European Business Review*. 2012, Vol. 1, No. 2, pp. 7–15. <<https://doi.org/10.18267/j.cibr.12>>.

for the health and well-being of himself and of his family...” (Art. 25(1) UDHR). This universal right brought about by this international public law instrument was promptly matched with a universal duty imposed by the literature (see “Social Responsibilities of the Businessman” by Howard R. Bowen in 1953, about the power and impact of the largest US businesses on all of society).¹⁹ The exercise of such power should be neither totally discretionary nor without any responsibility for its consequences – such a business has to carry the Corporate Social Responsibility (“CSR”), visualized as the famous four-layer pyramid with one responsibility for each layer (economic, legal, ethical and discretionary (philanthropic) responsibility) via the famous Carroll’s pyramid in 1991.²⁰ However, this idea was, and still is, not embraced by all. For example, Friedman’s minimalist approach called for a reduction of government interference, reflected the Chicago school and led to shareholder theory, with the goal to do all that is legally possible to maximize the profits of shareholders, later on slightly moderated towards the motto “*what is good for business is good for society*.”²¹

In 1987, this modern concept of sustainable development was incorporated into international law via the Brundtland Report,²² which declares that “*poverty is an evil in itself*” and focuses on the entire global population (Sect. 3 Brundtland Report). Following the Brundtland Report, it was suggested that sustainable development means the capacity to evolve eternally towards reaching an increased efficiency of the use of resources for the benefit of humanity and other species,²³ i.e. the feature of a massive efficiency (not effectiveness) was added. Thereafter, a concern for all people emerges, i.e. it was proposed that sustainable development should provide all (!!!) people with a basic quality of life, while protecting the ecosystem,²⁴ and that sustainable development is about human progress at the global (!!!) level for the long term.²⁵ Such a globally understood concept of sustainable development is a conjunction of sustainability, perceived as durability, and of development, perceived as extensiveness.²⁶ It is a global command resting on three pillars: environmental (planet), social (people) and economic (profit), as implied by the Brundtland report, and made actionable three decades later, in 2015 by Agenda 2030.²⁷

¹⁹ BOWEN, H. R. *Social Responsibilities of the Businessman*. Iowa City: University of Iowa Press, 2013. <<https://doi.org/10.2307/j.ctt20q1w8f>>.

²⁰ CARROLL, A. B. Carroll’s pyramid of CSR: taking another look. *International Journal of Corporate Social Responsibility*. 2016, Vol. 1, p. 3. <<https://doi.org/10.1186/s40991-016-0004-6>>.

²¹ PORTER, M. E., IGNATIUS, A. *Creating Shared Value: An HBR interview with Michael Porter (1/2)*. In: *YouTube* [online]. [2024-07-30]. Available at: <<http://www.youtube.com/watch?v=F44G4B2uVh4>>.

²² MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The EU puzzling CSR regime and the confused perception by ambassadors of luxury fashion businesses: A case study from Pařížská*. pp. 74–108.

²³ HARWOOD, R. The history of sustainable agriculture. In: Clive A. Edwards et al. (eds.). *Sustainable Farming Systems*. Boca Raton: CRC Press, 1990, pp. 3–19.

²⁴ VAN-DER-MERWE, I., VAN-DER-MERWE, J. *Sustainable development at local level: An introduction to local agenda 21*. Pretoria: Department of environmental affairs and tourism, 1990.

²⁵ STERLING, S. Learning for resilience, or the resilient learner? Towards a necessary reconciliation in a paradigm of sustainable education. *Environmental Education Research*. 2010, Vol. 16, pp. 511–28.

²⁶ CRISTIAN, D., GOGAN, L. M., ARTENE, A. E., DURAN, V. The Components of Sustainable Development – A Possible Approach. *Procedia Economics and Finance*. 2015, Vol. 26, pp. 806–1. <[https://doi.org/10.1016/S2212-5671\(15\)00849-7](https://doi.org/10.1016/S2212-5671(15)00849-7)>.

²⁷ Van TULDER, R., KEEN, N. Capturing Collaborative Challenges: Designing Complexity-Sensitive Theories of Change for Cross-Sector Partnerships. *Journal of Business Ethics*. 2018, Vol. 150, pp. 315–332. <<https://doi.org/10.1007/s10551-018-3857-7>>.

Agenda 2030 was matched with the move to a higher form of CSR, Creating Shared Value (“CSV”),²⁸ and promptly became endorsed by the EU, (see the Communication COM(2016) 739 final “Next steps for a sustainable European future – European action for sustainability,” see “*Sustainable development has since long been at the heart of the European project. The EU Treaties give recognition to its economic, social and environmental dimensions which should be addressed together. The EU is committed to development that meets the needs of the present without compromising the ability of future generations to meet their own needs. A life of dignity for all within the planet’s limits that reconciles economic prosperity and efficiency, peaceful societies, social inclusion and environmental responsibility is at the essence of sustainable development.*” (1. Next steps for a sustainable European future European action for sustainability). However, despite the strong recognition of Agenda 2030 and 17 SDGs, they are neither shared nor trusted by all.²⁹ Similarly, moving from an international public macro-perspective to a national private micro-perspective, three key concepts for the management of a business and its competitiveness have co-existed: Friedman’s traditional, conventional shareholder model to maximize returns to owners,³⁰ Freeman’s stakeholder model to take care of primary stakeholders while keeping business in good health,³¹ and Carroll’s CSR model to do good in society without necessarily aiming at profits.³²

Nevertheless, despite all of these discrepancies, the commitment of international law to sustainable development is clear, and is clearly followed by EU law.³³

II. MATERIALS AND METHODS

The consideration and selection of materials regarding the exploration of the meaning of “sustainable development” in current EU law must start with the appreciation of the nature of EU law and its application and interpretation of its particularities. Namely, the EU is a subject *sui generis*, the EU system combines supranationalism and intergovernmentalism, and EU law reflects both continental law and common law traditions. Perhaps even more importantly, the EU and EU law have to reconcile often irreconcilable differences due to national cultural, social, economic and other particularities and priorities and to prosper in the global universe. Flexibility is needed and neither strict textualism nor narrow literal rules should paralyze EU law.³⁴ Indeed, the teleological method of interpreta-

²⁸ KRAMER, M. R., PFITZER, M. W. The ecosystem of shared value. *Harvard Business Review*. 2016, Vol. 94, pp. 80–89.

²⁹ HARLOW, J., GOLUB, A., ALLENBY, B. A review of utopian themes in sustainable development discourse. *Sustainable Development*. 2013, Vol. 21, No. 4, pp. 270–80.

³⁰ FRIEDMAN, F. The social responsibility of business is to increase its profits. In: Walther Ch. Zimmerli – Klaus Richter – Markus Holzinger (eds.). *Corporate Ethics and Corporate Governance*. Berlin: Springer, 2007, pp. 173–78.

³¹ FREEMAN, R. E. The New Story of Business: Towards a More Responsible Capitalism. *Business and Society Review*. 2017, Vol. 122, No. 3, pp. 449–65. <<https://doi.org/10.1111/basr.12123>>.

³² CARROLL, A. B. Corporate Social Responsibility: Evolution of a Definitional Construct. *Business & Society*. 1999, Vol. 38, No. 3, pp. 268–295. <<https://doi.org/10.1177/000765039903800303>>.

³³ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. The Covid-19 As Interpretation Instrument for the Content of Corporate Social Responsibility and its Reporting in the EU. *The Lawyer Quarterly*. 2021, Vol. 11, No. 2, pp. 305–322.

³⁴ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The Covid-19 As Interpretation Instrument for the Content of Corporate Social Responsibility and its Reporting in the EU*. pp. 305–322.

tion is pivotal for the interpretation and application of EU law for many reasons, including the fact that Treaties such as the TEU and TFEU, are imbued with teleology.³⁵ Regardless of whether the legal instrument is from EU primary, secondary or supplementary law, it should not be interpreted and applied in isolation.³⁶ Indeed, the legal hierarchy, as well as underlying policies and ultimate targets and beneficiaries, needs to be considered. Finally, there needs to be emphasized the particularities of the transposition mechanism, such as gold-plating, i.e. a transposition exceeding the minimal requirements of this EU Directive (possibly increasing regulatory burdens in a not justifiable manner).³⁷

Once the EU and EU law particularism is recognized and appreciated, it needs to be admitted that perhaps “sustainability”, *Nachhaltigkeit*, has European roots, while “sustainable development” is a term which originated in international law. In addition, it is an abstract, heterogenous and conceptually unsettled argumentative command. Plainly, its roots are obscure and its interpretation extremely diversified, often reduced to an empirical observation.³⁸ Consequently, the meaning, or more specifically the interpretation and application of “sustainable development,” is ephemeral and subject to a set of semantic pitfalls. This is a problem, and the aim of this article is to assist with/in its resolution.

“Sustainable development” is about human behaviour at the intersection of three spheres – environmental, social and economic, and is addressed by all three sources, i.e. dimensions of the EU law – primary, secondary and supplementary. It is a term from and for a number of social science’s branches, such as economics (the study of the production, distribution, and consumption of goods and services in a sustainable manner), law (the study of legal systems as frameworks to interpret and use the law), political science, etc. Thus, social science materials and methods *are prima facie* suitable for the understanding, interpretation and application of the term “sustainable development.” A number of branches of social science, such as philosophy or linguistics, even assist its sister branches of social science, such as economics or law, in identifying proper sources, materials and scientific methods.

Regarding philosophy, particular attention is to be paid to correct reasoning (logic) regarding sustainable development. Manifestly, the binary true-false propositional logic is not appropriate for the exploration of these sources and materials. However, even a variables- based predicate logic could hardly be employed automatically and, *per se*, due to the presence, if not predominance, of the argumentative features of involved social sciences. The search for the legal meaning of sustainable development and its results differs to a certain extent from the parallel search and results in economics. However, com-

³⁵ MacGREGOR PELIKÁNOVÁ, R., ČÍSAŘOVÁ, J., BENEŠ, M. The misleading perception of the purpose of the protection against misleading advertising by the EU law and its impact in the Czech Republic. *The Lawyer Quarterly*. 2017, Vol. 7, No. 3, pp. 145–161.

³⁶ LENAERTS, K., GUTIÉRREZ-FONS, J. A. *To Say What the Law of the EU Is: Methods of Interpretation and the European Court of Justice*. San Domenico di Fiesole: EUI Working Papers, AEL, 2013, 9. In: *cadmus.eui.eu* [online]. [2024-07-30]. Available at: <http://cadmus.eui.eu/bitstream/handle/1814/28339/AEL_2013_09_DL.pdf?sequence=1>.

³⁷ KRÁL, R. On the Gold-Plating in the Czech Transposition Context. *The Lawyer Quarterly*. 2015, Vol. 5, No. 4, pp. 300–307.

³⁸ WHITE, M. A. Sustainability: I know it when I see it. *Ecological Economics*. 2013, Vol. 86, pp. 213–217. <<https://doi.org/10.1016/j.ecolecon.2012.12.020>>.

mon deductive reasoning is present with an interpretation by an agent based on the legal positivism of “Hart’s will,”³⁹ compromising via “Hobbes’ social contract,” the utilitarian concession of “Bentham’ pragmatism”, the deontological principles of “Kant’s judgment”⁴⁰ and the universalism of “Aristotles’ law of nature.” Consequently, both semantics’ particularities and subjective ethical features reflecting one’s personal morals are inevitable.⁴¹

Regarding linguistics, particular attention is to be paid to the correct meaning and semantic discovery regarding “sustainable development.” There are universal approaches and rules (literal, etc.), as well as special branch approaches and rules (golden, mischief and purposive),⁴² and even regionally particular approaches and rules (teleological due to the CJ EU determination to go for the spirit of the EU law via an autonomous pro-integration interpretation).⁴³ Naturally, semantic analysis is not detached from other linguistic levels and it builds upon word structure analysis (morphology) and sentence structure analysis (syntax), while the appreciation of context is critical.

In sum, considering the term “sustainable development” and its position in the social sciences, the use of logic as a mechanical model of language⁴⁴ should give the priority to a more open, holistic, flexible, pragmatic and causality-oriented search⁴⁵ for meaningful understanding, interpretation and application. Finally, the philosophical discipline focusing on the nature and organization of reality, i.e. ontology, should be kept in mind, because the ontological question “what is reality” is both the alpha and omega of any discourse about the ephemeral “*sustainable development*”.

Such discourse and ultimate search for its understanding, interpretation and application needs to be done based on heterogenous sources⁴⁶ in a methodologically organized design manner.⁴⁷ Given the focus of this paper and the inherently implied need for an advanced semantic exploration with contextual as well as evolutionary features, the multidisciplinary search for data and its processing will be holistically done via a three step critical and comparative content analysis⁴⁸ (regarding primary, secondary and supplementary law) with a strong qualitative textual focus.⁴⁹ Academic robustness will be in-

³⁹ STAMPER, R. K. The Role of Semantics in Legal Expert Systems and Legal Reasoning. *Ratio Juris*. 1991, Vol. 4, No. 2, pp. 219–44.

⁴⁰ BALCERZAK, A., MacGREGOR PELIKÁNOVÁ, R. Projection of SDGs in codes of ethics – case study about lost in translation? *Administrative Sciences*. 2020, Vol. 10, No. 4, p. 95. <<https://doi.org/10.3390/admsci10040095>>.

⁴¹ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K., ČERNEK, M. New trends in codes of ethics: Czech business ethics preferences by the dawn of COVID-19. *Oeconomia Copernicana*. 2021, Vol. 12, No. 4, pp. 973–1009. <<https://doi.org/10.24136/oc.2021.032>>.

⁴² KELLY, D. *Slapper and Kelly’s The English Legal System 19th Edition*. Oxford: Routledge, 2020.

⁴³ MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The Covid-19 As Interpretation Instrument for the Content of Corporate Social Responsibility and its Reporting in the EU*. pp. 305–322.

⁴⁴ STAMPER, R. K. The Role of Semantics in Legal Expert Systems and Legal Reasoning. *Ratio Juris*. pp. 219–44.

⁴⁵ HECKMAN, J. J. The Scientific Model of Causality. *Sociological Methodology*. 2005, Vol. 35, pp. 1–98. <<https://doi.org/10.1111/j.0081-1750.2006.00164.x>>.

⁴⁶ VOVRVACHIS, P., WOODWARD, T. Content analysis in social and environmental reporting research: Trends and challenges. *Journal of Applied Accounting Research*. 2015, Vol. 16, No. 2, pp. 166–195. <<https://doi.org/10.1108/JAAR-04-2013-0027>>.

⁴⁷ YIN, R. *Study Research. Design Methods*. Thousand Oaks: Sage Publications, 2008.

⁴⁸ KRIPPENDORFF, K. *Content Analysis: An Introduction to Its Methodology*. Thousand Oaks: Sage Publications, 2003.

⁴⁹ KUCKARTZ, U. *Qualitative Text Analysis: A Guide to Methods, Practice and Using Software*. Thousand Oaks: SAGE Publications, 2014.

creased by the juxtaposition of proposed indices about the deeper understanding, interpretation and application of the term “sustainable development”, and by their Socratic questioning⁵⁰ and glossing, based on multi-spectral field observations.⁵¹

Consequently, based on an appreciation of the roots of the concept, which was produced by a review of the conceptual, historical and international legal foundations of “sustainable development”, relevant current primary, secondary and supplementary EU law will be explored. The sources will be the EurLex Database and Curia Database, and the key search selection will be done based on the given framework and key word expression “sustainable development”. The collected data will be critically and comparatively juxtaposed and subjected to glossing and Socratic questioning. Again, it needs to be emphasized that critical and comparative juxtapositioning will be done by using legal language with its semantics and other particularities.⁵² This battery of tools, and the resulting propositions, should clarify the understanding, interpretation and application of the term “sustainable development”, while recognizing and overcoming a set of semantic pitfalls regarding its ephemeral nature and ambiguous meaning.

III. “SUSTAINABLE DEVELOPMENT” IN PRIMARY EU LAW

The current quasi-constitutional, primary EU law framework, includes a triad: the TEU, the TFEU and the Charter.⁵³ Each of them explicitly deal with sustainable development⁵⁴ and imply the principle of mutual trust between EU member states and the need to comply with fundamental rights recognized by EU law.⁵⁵ Sustainable development is on its way to be such a right.

In the TEU, “sustainable development” is mentioned as a goal to be achieved in parallel, perhaps in synergy with the single internal market, see “*The EU shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance.*” (Art. 3.3 TEU).

In the TFEU, it is implied that EU policies and activities should advance sustainable development, which includes environment protection concerns, see “*Environmental protection requirements must be integrated into the definition and implementation of the Union’s policies and activities, in particular with a view to promoting sustainable development*” (Art. 11 TFEU).

⁵⁰ AREEDA, P. E. The Socratic method. *Harvard Law Review*. 1996, Vol. 109, No. 5, pp. 911–922.

⁵¹ GOLD, R. L. Roles in Sociological Field Observations. *Social Forces*. 1958, Vol. 36, No. 3, pp. 217–223.

⁵² TÓTHOVÁ, M. Several Aspects of the Comparative Method in law. *The Lawyer Quarterly*. 2023, Vol. 13, No. 1, pp. 78–88.

⁵³ MacGREGOR PELIKÁNOVÁ, R. *Selected current aspects and issues of European integration*. Ostrava: Key Publishing, 2014, 186 p.

⁵⁴ TUREČKOVÁ, K. NEVIMA, J. Evropské fondy – management rizik v oblasti veřejného školství. *Scientific Papers of the University of Pardubice, Series D*. 2017, Vol. 24, No. 41, pp. 206–216. <<http://hdl.handle.net/10195/69606>>.

⁵⁵ TOMÁŠEK, M. European Arrest Warrant – Mutual Trust and Mistrust Among EU Member States. *The Lawyer Quarterly*. 2023, Vol. 13, No. 2, pp. 131–142.

In the Charter, the need to promote sustainable development is in a broad sense mentioned only in the Preamble, while in the operative body it is only mentioned in the context of environmental protection, i.e. *“A high level of environmental protection and the improvement of the quality of the environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development”* (Art. 37 Charter). Therefore, it might be suggested that sustainable development is a rather homogenous abstract principle at the EU constitutional (primary law) level, which has strong environmental aspects and the potential to become an order. This fits with its universal and constitutional dimension.

IV. “SUSTAINABLE DEVELOPMENT” IN SECONDARY EU LAW

In the EU secondary law level, a set of heterogenous and practical, perhaps even casuistic, approaches appear and, arguably *prima facie*, sustainable development emerges as a decidedly variable tool – regarding accounting harmonization, sectorial and terminological regulations, and climate neutrality regulations.

Firstly, there is a line of Directives addressing financial and non-financial reporting, including CSR, launched by the NFRD which added the famous Art. 19a Non-financial statement. However, neither the Accounting Directive nor the NFRD addresses the term “sustainable development” directly in their provisions. However, in its Preamble, the NFRD mentions “sustainable growth” and *“sustainable global economy by combining long-term profitability with social justice and environmental protection.”*

A set of further amendments of the Accounting Directive has followed, such as the NFRD and the CSRD, which refer directly to the European Green Deal and expand the duty set by Art. 19a, as well as the pool of its addressees. The CSRD mentions “sustainable development” in its Preamble in relation to SDGs, see *“Sustainability reporting standards should also take account of internationally recognised principles and frameworks on responsible business conduct, corporate social responsibility, and sustainable development, including the SDGs,...”* (Preamble at 45. CSRD). Further, there is one direct reference to sustainable development in the very body of CSRD, namely CSRD adds to the Accounting Directive a new provision about Sustainability Reporting Standards, see *“When adopting delegated acts pursuant to paragraph 1, the Commission shall, to the greatest extent possible, take account of: (a) the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting and for greenhouse gas accounting, responsible business conduct, corporate social responsibility, and sustainable development;...”* (Art. 29b (5) Accounting Directive). Indeed, the CSRD fights against non-financial reporting fragmentation, refers to the Green Deal and Regulation (EU) 2019/2088 on sustainability related disclosures in the financial services sector (“SFDR”) and imposes, upon a growing number of European Companies, a legal duty to report according to European Sustainability Reporting Standards (“ESRS”), i.e. making Environmental, Social, Governance (“ESG”) reporting the wide-spread reality of the current EU.

Secondly, there is a line of sectorial and terminological regulations. The SFDR, initiated by the European Commission of Jean-Claude Juncker, targets malpractice and misleading

information in the financial sector.⁵⁶ The SFDR focuses only on financial market participants and financial advisers and deals with the transparency of the provided information about sustainability risks and adverse sustainability impacts. Therefore, the sustainable development is overshadowed by a focus on the CSR information, i.e. data about the sustainable investment, which is defined as “*an investment in an economic activity that contributes to an environmental objective, as measured, for example, by key resource efficiency indicators on the use of energy, renewable energy, raw materials, water and land, on the production of waste, and greenhouse gas emissions, or on its impact on biodiversity and the circular economy, or an investment in an economic activity that contributes to a social objective, in particular an investment that contributes to tackling inequality or that fosters social cohesion, social integration and labour relations, or an investment in human capital or economically or socially disadvantaged communities, provided that such investments do not significantly harm any of those objectives and that the investee companies follow good governance practices, ...*” (Art. 2(17) SFDR). Consequently, due to SFDR, the sustainability development trade-offs start to be expressly and explicitly rejected. This was further magnified by the pro-Green Deal Regulation (EU) 2020/852 on the establishment of a framework to facilitate sustainable investments (“Taxonomy Regulation”), initiated by the European Commission of Ursula von der Leyen,⁵⁷ Indeed, the Taxonomy Regulation fiercely tackles advanced sustainability misinformation and disinformation, in particular greenwashing.⁵⁸ The Taxonomy Regulation specifically mentions sustainable development in its preamble while referring to SDGs and to technical screening criteria. It defines environmentally sustainable economic activities as activities contributing substantially to one or more of six environmental objectives without significantly harming any of them (Art. 3 Taxonomy Regulation). These six environmental objectives include (a) climate change mitigation; (b) climate change adaptation; (c) the sustainable use and protection of water and marine resources; (d) the transition to a circular economy; (e) pollution prevention and control; (f) the protection and restoration of biodiversity and ecosystems (Art. 9 Taxonomy Regulation). Hence the principle, “do not significantly harm” launched by the SFDR, is becoming very clear both regarding the active (to do) as well passive (to omit) dimensions. In sum, the message conveyed by both the SFDR and the Taxonomy Regulations is that the sustainable development is to be multi-spectral and without trade-offs. In addition, as mentioned above, CSRD forces more and more businesses to reflect it and to speak about it, i.e. see ESG reporting duty.

Thirdly, there is a general climate neutrality regulation brought by the Regulation (EU) 2021/1119 establishing the framework for achieving climate neutrality (“European Climate

⁵⁶ MacGREGOR, R. K., MacGREGOR PELIKÁNOVÁ, R., RUBÁČEK, F. EU Policies and law to stimulate SDGs Embrace – Appreciated by responsible consumers but not by businesses In: Marta Blaštková – Tomáš Bouchal – Lenka Fabíková(eds.). *Proceedings of the International Scientific Conference ECONOMIC POLICY*. Ostrava: Vysoká škola PRIGO, 2023, pp. 173–187.

⁵⁷ MacGREGOR PELIKÁNOVÁ, R., RUBÁČEK, F. Taxonomy for Transparency in Non-Financial Statements – Clear Duty With Unclear Sanction. *Danube*. 2022, Vol. 13, No. 3, pp. 173–95. <<https://doi.org/doi:10.2478/danb-2022-0011>>.

⁵⁸ BALCERZAK, A. et al. The EU regulation of sustainable investment: The end of sustainability trade-offs? *Entrepreneurial Business and Economics Review*. 2022, Vol. 11, No. 1, pp. 199–212. <<https://doi.org/10.15678/EBER.2023.110111>>.

Law”) within the EU by 2050. Amazingly, a few decades ago, environmental protection was not at all a European priority but, since 1998, a clear pro-environmental trend is consistently gaining force.⁵⁹ The particular target of the European Climate Law is the removal of greenhouse-gas emissions, i.e. a reduction by at least 55% (compared to 1990 levels) by 2030 and the elimination (i.e. a balance of emission and removal) by 2050, while adapting fully the Paris Agreement. The European Climate Law explicitly and expressly includes the term “sustainable development” in its Preamble, and this always in relation to SDGs. Therefore, the environmental pillar of sustainable development in the EU entirely matches the international perspective of the UN, while even other aspects are not to be violated (see the SFDR and the Taxonomy Regulation, and concerning transparency about it is becoming compulsory, see the CSRD).

This review of secondary EU law confirms that sustainable development is a principle which has strong environmental aspects and the potential to become an order. Even if it is presented as a general concept, in some areas it is much more advanced than in others. This suggests partial immaturity and the ongoing embedment of sustainable development in EU law.

V. “SUSTAINABLE DEVELOPMENT” IN EU CASE-LAW

The CJ EU is well aware that the spirit of EU law is ephemerally reflected in the written outcome of EU law primary and secondary sources and has enthusiastically accepted the challenge to interpret it in a rather autonomous pro-integration manner.⁶⁰ If EU member states are *masters of the treaties*,⁶¹ the CJ EU is the master of the interpretation of these primary sources of EU law as well as secondary sources of EU law.⁶²

The CJ EU has already proven many times that, even with just a few cases, it can make solid case law with constitutionally revolutionary features (see “old classics” such as C-26/62 Van Gend en Loos and C-6/64 Costa v. E.N.E.L). Further, the fact that certain types of cases have reached the CJ EU and were ultimately decided speaks for itself, i.e. it points to the urgency and relevancy of such types of issues.

The search for cases regarding or referring to “sustainable development”, decided by the CJ EU, revealed 386 cases entailing 539 documents (judgements, opinions, etc). However, typically these documents only cited “sustainable development” as part of the legal framework and consequently only less than 40 final judgements of the CJ EU include, in argumentative or decision parts, the term “sustainable development”. For illustration, the table below and the explanations with citations from 12 such judgements are presented.

⁵⁹ KLIMEK, L. European Legal Approach to Combat Environmental Crime. *The Lawyer Quarterly*. 2023, Vol. 13, No. 1, pp. 57–77.

⁶⁰ LENAERTS, K., GUTIÉRREZ-FONS, J. A. *To Say What the Law of the EU Is: Methods of Interpretation and the European Court of Justice*.

⁶¹ BÖRZEL, T. A., DŮDZIAK, M., HOFMANN, T., PANKE, D., SPRUNG, C. Recalcitrance, Inefficiency and Support for European Integration: Why Member States Do (not) Comply with European Law, *CES Working Paper*. Harvard: Harvard University, 2007. In: *unc.edu* [online]. [2024-07-30]. Available at: <<http://www.unc.edu/euce/eusa2007/papers/borzelt-t-02a.pdf>>.

⁶² MacGREGOR PELIKÁNOVÁ, R., MacGREGOR, R. K. *The Covid-19 As Interpretation Instrument for the Content of Corporate Social Responsibility and its Reporting in the EU*. pp. 305–322.

Table 1 – CJ EU judgements having in the argumentative and decision parts “sustainable development”

Case	Name of the parties	Subject-Matter	Sustainable development as
C-94/03	Commission v Council	Environment	Compromising priorities
C-424/07	Commission v Germany	Approximation of laws	Competition adjustment
C-43/10	Nomarchiaki v Ipourgos	Approximation of laws	Environment command
C-592/11	Ansi v Ketelä	Agriculture and Fisheries	Rural development
C-195/12	IBV SA v Région wallonne	Environment	Energy sustainability
C-377/12	Commission v Council	Provisions governing the institutions – Action for Annulment	Question of annulment of an agreement considering sustainable development
C-103/14	Bronius Jakutis v Agentura	Agriculture and Fisheries	Sustainable agriculture v rural development
C-255/14	Chmielewski v Nemzeti	Free movement of capital	Guidelines and goal
C-294/14	ADM Hamburg AG v Hauptzollamt	Free movement of goods – Customs union	Economic growth parael
C-346/14	Commission v Austria	Environment	Energy supply
C-492/14	Essent Belgium NV v Vlaams	Free movement of goods	Renewable energy sources
C-343/21	PV v Zemedelie	Agriculture and Fisheries	Rural and environment

Prepared by the Authors based on <http://curia.europa.eu/juris/recherche.jsf?language=en>

In C-94/03, sustainable development is about comprising priorities of commercial and environmental policies, i.e. “...as is also clear from the express terms of the eighth recital in the preamble to the Convention, according to which the commercial and environmental policies of the parties to the Convention should be mutually supportive with a view to achieving sustainable development, it must therefore be concluded that the Convention includes, both as regards the aims pursued and its contents...”

In C-424/07, sustainable development is about adjusting the competition, see “for analyzing relevant markets susceptible to regulation, such as that which provides as a criterion, so that a new market may by way of exception be subject to ex ante regulation, that there be a risk of a long-term impediment to the development of sustainable competition on those markets.”

In C-43/10, sustainable development is about environmental protection, see “Directive 92/43 on the conservation of natural habitats and of wild fauna and flora, and in particular the first subparagraph of Article 6(4) thereof, interpreted in the light of the objective of sustainable development, as enshrined in Article 6 EC.”

In C-592/11, sustainable development is about rural development, see *“which seek to facilitate, by means of the aid concerned, the enhancement of human potential and the structural adjustment of the holdings in order to improve competitiveness in the agricultural sector and to ensure sustainable development for rural areas.”*

In C-195/12, sustainable development is about energy sustainability and renewal, see *“...renewable energy sources, ...even at the level of the renewable nature of the resource, and hence from the point of view of its availability, as also from the point of view of sustainable development, prudent and rational utilization of natural resources, and security of supply, wood, which is a resource whose renewal requires a long period, may be distinguished from agricultural products or household and industrial waste, whose production takes place in a much shorter space of time.”*

In C-377/12, sustainable development is linked to the battle against poverty and is critical for the assessment of the validity of the Framework Agreement on Partnership and Cooperation between the EU and the Philippines, i.e. *“... follows that European Union policy in the field of development cooperation is not limited to measures directly aimed at the eradication of poverty, but also pursues the objectives referred to in Article 21(2) TEU, such as the objective, set out in Article 21(2)(d), of fostering the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty.”*

In C-103/14, sustainable development is considered as a balance between sustainable agriculture and rural development, see *“... read together with Article 10(2), and recital 17 in the preamble to Regulation No 73/2009, Article 10(1) of that regulation, does not have a disproportionate effect in relation to the objective of achieving, in all Member States, a better balance between the promotion of sustainable agriculture and the promotion of rural development, an objective which is part of the normative framework outlined in the 2003 Act of Accession.”*

In C-255/14, sustainable development is a goal and guideline, see *“... in the context of promoting harmonious, balanced and sustainable economic development throughout the European Union, that regulation seeks to supplement the provisions of Directive 91/308 by laying down harmonized rules for the control of cash entering or leaving the European Union.”*

In C-294/14, sustainable development is paralleled by economic growth, see *“... such as the generalized system of preferences laid down in that regulation, is to encourage economic growth and to respond positively to the need for sustainable development.”*

In C-346/14, sustainable development is to be considered in relation to energy supply, see *“a non-polluting form of energy may be made available in large quantities, the decision-making authority must view an important public interest in that measure in terms of sustainable energy development.”*

In C-492/14, sustainable development is linked to renewable energy sources, see *“... such promotion of renewable energy sources, which is a high priority for the European Union, is justified in particular because the exploitation of those energy sources contributes to environmental protection and sustainable development, and can also contribute to security and diversification of energy supply and make it possible to meet the Kyoto Protocol targets more quickly.”*

In C-343/21, sustainable development is to promote rural areas and protect the environment see, “those agri-environmental payments play a prominent role in supporting the sustainable development of rural areas and protecting the environment, since they encourage beneficiaries to enter into multiannual commitments going beyond compliance with the mandatory standards of EU agricultural legislation and with the particular requirements laid down by national legislation. Second, it is apparent from recital 23 of Regulation No 1974/2006 that, in order to contribute to the objective of sustainable rural development, the EU legislature intended to favour a balanced application of EU support by means of agri-environmental payments.”

This review of CJ EU case law reconfirms that sustainable development is a principle which has strong environmental aspects and the potential to become an order. In addition, it reveals its interdisciplinary and multidisciplinary nature, its potential to play a pivotal role in a myriad of cases and situations, and also its fragmented maturity.

CONCLUSIONS

The term sustainable development does not currently have a clear, unanimously accepted and multi-disciplinarily definition and interpretation. The consensus is merely that it is an underlying concept that is understood contextually and personally,⁶³ i.e. it depends upon the situation and the speaker and ultimately is a product of a mirror image doctrine. Arguably, an object, item or concept is not as important as one’s relationship to it.⁶⁴ However, a mirror image is not just a static passport photo taken at the beginning of the research process, instead it is a picture undergoing ongoing dynamic change. “*Tempora mutantur, nos et mutamur in illis.*”⁶⁵ The work is a reflection of its author and the ephemeral “sustainable development” term is a typical transparent vessel bringing out a testimony about both its era and people.

As such, “sustainable development” was connected to the bearable local agriculture of the ancient and feudal agricultural societies, to the ongoing inter-local and inter-regional businesses in the trade-oriented Hansa, to the regional one or more industries oriented towards the maintenance of natural resources, such as mining, forestry and fisheries for one substantial landowner. After the – WWII, the Rubicon was crossed and the journey to a global society was launched in the hope of mutual co-operation and recognition of certain constitutional ideas and principal human rights.⁶⁶

For the UN, sustainable development means the battle against poverty and hunger by perhaps producing more, while for EU law it is more about setting and providing informa-

⁶³ KOSNER, L. The role of Skolt Saami religious texts in language development and revitalization. In: *De Gruyter, blogs.helsinki.fi* [online]. [2024-07-30]. Available at: <<https://www.degruyter.com/database/LME/entry/lme.20442485/html>>, <<https://doi.org/10.1515/lme.20442485>>, <<https://blogs.helsinki.fi/linguisticsandsustainability/2023/10/03/sustainability-in-linguistics-a-mirror-image/>>.

⁶⁴ WILSON, S., HUGHES, M. Why research is Reconciliation. In: Shawn Wilson – Andrea V. Breen – Lindsay DuPré (eds.). *Research & Reconciliation: Unsettling Ways of Knowing Through Indigenous Relationships*. Toronto: Canadian Scholars, 2019, pp. 5–19.

⁶⁵ Times are changed; we also are changed with them.

⁶⁶ KLÍMA, K. Constitutional “Postmodernism” or also the Modernization of Classical Constitutional Models. *The Lawyer Quarterly*. 2023, Vol. 13, No. 2, pp. 143–163.

tion to investors (ESG) and consumers (digital passport), who should turn from *homo economicus* into *homo responsabilis*.

In EU law, sustainable development is rather a homogenous abstract principle, which might be placed on the EU constitutional (primary law) level. It has strong environmental aspects and the potential to become an order and which is progressively projected in EU secondary law. However, this process is not yet completed and fragmentation is obvious, see the advancement in the reporting, taxonomic standardization and environmental areas as opposed to other areas. Nevertheless, its omni-presence is confirmed by the variety of cases. Namely, sustainable development is already an integral part of the aspects and criterion employed by the CJEU for various types of cases and in various areas, including agricultural, environmental and economics and can even be critical for high profile cases about EU institutional competencies.

In sum, the maturity and systematization of sustainable development in EU law has not yet been achieved and perhaps this is the reason for the ongoing ephemeral and partially ambiguous nature of sustainable development in EU law. Sustainable development is a key policy term which has an interdisciplinary and multidisciplinary nature and has the potential to play a pivotal role in a myriad of cases and situations, despite (or perhaps because of) it being a semantic puzzle allowing flexible teleological applications. Each and every European subject currently projects, to a certain extent, in sustainable development its own vision of a life standard of maintenance with waste avoidance. This is the legacy of Western civilization, based on Christianity and individual responsibility, for the EU governed by the motto “united in diversity”. The EU is labelled as a leading global party for sustainable development via SDGs, so, we shall see – *Una futura aspiciamus*.⁶⁷

⁶⁷ We look to the future together or Together, towards the future.