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# Enlarging EU Environments: Central and Eastern Europe from Transition to Accession

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JOANN CARMIN AND STACY D. VANDEVEER

The 2004 enlargement of the European Union (EU) from 15 to 25 member states is an enormous step in the historic process of European economic, political and cultural integration. It was, quite literally, unimaginable 15 years ago. The notion of expanding the EU to include Central and Eastern European (CEE) countries followed the collapse of the communist systems in the region in 1989. Many justifications for EU enlargement have been offered, but it is clear that advocates of the idea viewed CEE membership in the EU as an important way to help stabilise the region's new political and economic systems, assist Europeans to compete in a globalising economy, and improve CEE and continental European environmental protection and quality. Although proponents maintain that EU enlargement has numerous benefits, critics assert that it will hinder environmental quality and lower environmental standards throughout all of Europe.

Since the collapse of communist rule, many aspects of the environmental policy agendas in CEE states have been influenced by the desire to join the EU. Between 1994 and 1996, a number of countries applied for EU membership, and in 1998 accession negotiations were started with the Czech Republic, Estonia, Hungary, Poland and Slovenia. Later, negotiations were opened with Bulgaria, Latvia, Lithuania, Romania and Slovakia, resulting in ten CEE countries formally engaged in negotiations for EU membership. As laid out in the so-called Copenhagen criteria, membership in the EU requires the adoption, implementation and enforcement of the *acquis communautaire* – the body of EU law and regulations. The *acquis* consists of 31 thematic chapters, each detailing laws, regulations, norms and standards. Environmental law and regulations constitute one such chapter.

Transposing the environmental chapter of the *acquis* requires that candidate countries adopt framework legislation, measures on international conventions, biodiversity protection, product standards, and provisions to ensure reductions in national, transboundary and global pollution [*Europa, 2002a*]. Accession negotiations were provisionally closed in December

2002 for eight CEE countries (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) and two Mediterranean countries (Malta and Cyprus). The accession treaty was signed in April 2003. By September, all ten of these countries had approved entrance into the EU (most by referendum) with the expectation that they would join the EU in May 2004, in time to participate in the European Parliament elections being held that year.

As the subtitle notes, this volume focuses on changes in environmental policy and related institutions as driven by eastern enlargement of the EU. Five general questions, all responses to aspects of contemporary scholarly and popular debates about EU enlargement, motivate this work: (1) what are the likely impacts of eastern enlargement on EU institutions?; (2) how has the EU accession process shaped environmental policies and practices in CEE countries?; (3) do CEE states have the capacities required to implement the environmental *acquis* and, if not, what must they do to build them?; (4) how does accession shape opportunities for domestic agents and actors in CEE countries?; and (5) how does harmonisation and implementation of the *acquis* affect environmental quality and sustainability in CEE countries?

To contextualise these questions and the subsequent contributions, this introduction discusses some key concepts and issues associated with the past 15 years of ‘transitions’ away from the communist systems and the process of EU expansion. We briefly review a number of political and environmental changes that have taken place in CEE states and societies since 1989 and discuss the roles and impacts of foreign assistance in these transitions. Next we summarise key aspects of the ‘Europeanisation’ turn in contemporary social science research. Because of its relevance for this volume, the discussion of Europeanisation pays particular attention to prevailing ideas about how the EU influences state-level actors and decisions. We conclude with an overview of the volume’s organisation and a brief discussion of how the contributions collectively augment conventional views of eastern enlargement of the EU.

### **Fifteen Years of Changing Environments**

As the communist regimes gave way in the late 1980s and early 1990s, the challenges faced by CEE states and societies in their ‘transitions’ away from state socialism and towards new democratic political institutions and capitalist economic systems began to come into focus. Decades of state socialism left a legacy of entrenched and inefficient bureaucratic institutions. Just as political institutions were deeply ingrained, so too were values and beliefs about how government should function and its role in

society. State socialism also contributed to the presence of serious environmental problems and challenges, many of which required immediate attention and remediation. Of the many interconnected 'transitions' away from the communist systems experienced by CEE states and societies, the political and environmental transitions are the focus here. These transitions are connected with each other, just as they overlap with many aspects of the post-communist economic transitions.<sup>1</sup>

### Political Transitions

Transitions away from authoritarianism predate the 1989 collapse of Soviet-style state socialism in the CEE region. Examinations of these changes, such as the decolonisation and colonial independence movements and movements away from authoritarian rule in Latin America, suggest that transitions towards more democratic forms of government entail dramatic, indeed revolutionary, change for government officials, citizens, the private sector and civil society institutions alike. To be successful, governmental and societal actors must develop and adapt to new laws, organisational forms and social institutions [e.g. *O'Donnell, Schmitter and Whitehead, 1986; Huntington, 1991*]. Studies of earlier 'waves' of democratisation generally focused on domestic level politics and institutions. In contrast, CEE transitions demonstrate the impact that international actors, including international organisations, non-governmental organisations, and other states can have on state-level politics and institutional development [*Linden, 2002; Pridham, Herring and Sanford, 1994; Whitehead, 1996*]. The accession of CEE countries to the EU has provided an avenue for particularly strong external influence on the path of democratisation.

Democratisation across the 'post-communist' CEE region is quite varied, with some new democracies judged as well consolidated and others experiencing either stagnation or reconsolidation of authoritarian rule [*McFaul, 2002*]. By the mid-1990s, EU (and NATO) officials were repeatedly asserting that countries without well-consolidated democratic rule would not be admitted as new members [*Wood and Yesilada, 2004*]. Consequently, invitations to join the EU have been extended to those states regarded as well on their way towards realising consolidation, but not to those in which democratisation efforts have been stalled or reversed.

The transitions of state and societal institutions away from authoritarian rule and the consolidation of democratic forms of government have important implications for environmental politics and policy. Critical state factors affecting environmental governance in the transition away from state socialism include legal and constitutional provisions regarding rights of assembly and expression, state authority and ability to regulate private

enterprises and enforce contracts, and the organisational structure and competencies of local, regional and national government bodies. Important societal institutions include legislation governing the creation and operation of non-governmental organisations, citizens' access to environmental information, and public involvement in decision making.

One aspect of CEE democratisation bearing directly on environmental governance is the decentralisation of political authority. Decentralisation can encompass a wide array of 'ways to divest the central government of responsibility to outside organisation' [Yoder, 2003: 263] including shifting authority towards sub-national public sector actors such as local and regional governments and delegating powers to public authorities at any level of government [Hicks and Kaminski, 1995]. These bodies can be administrative bureaucracies or elected bodies.

EU financial assistance and investment programmes encourage and reinforce many types of decentralisation and regionalisation through their funding criteria [Yoder, 2003]. To date, however, decentralisation has had mixed results. Several CEE states have reorganised sub-national governance numerous times and at multiple levels. Consequently, the names, competencies, and jurisdictional authorities and boundaries have often undergone wholesale change. Such changes have left uncertainty and inexperience in their wake at local and regional levels. Because key environmental policy functions – monitoring, inspections, enforcement, permitting and licensure – are assigned to these new or reformed sub-national bodies by national environmental law and regulations, policy implementation often suffers when agencies lack the capacity to perform their assigned tasks [Ecotech, 2001a].

Political changes in the wake of the demise of state socialism also had a significant impact on the rights and responsibilities of citizens. Throughout the region, new political parties formed and democratic elections took place. People were guaranteed the freedoms of speech and association. Non-governmental organisations began to proliferate. In the communist era, most social and cultural organisations were controlled or closely monitored by the government [Wolchik, 1991]. However, these groups could now form and act independently, a change that plays an important role in fostering democratic practice and stability.

In the years leading up to the fall of the communist regimes, many civil society initiatives had an environmental theme. While important in their own right, discontent with the state of the environment and environmental protection offered citizens opportunities to criticise government institutions and ultimately helped destabilise the CEE communist states [Singleton, 1987; Jancar-Webster, 1993; Vari and Tamas, 1993; Tickle and Welsh, 1998]. The intensity of environmental concern led to a surge in the formation

and activity of citizens' groups in the years prior to and immediately following the fall of the regimes. For a time, it seemed that civil society actors and politicians would work collaboratively with government officials and that an emphasis would be placed on environmental remediation and institutional development. However, as other priorities began to dominate the political agenda in the early 1990s, especially those related to the hardships brought on by the economic, political and cultural transitions, environmental issues moved to the margins [*Fagin, 1994; Sloccock, 1996*].

For environmental organisations and movements, as well as for the promotion of civil society more broadly, greater political openness was accompanied by greater access to transnational and international sources of aid and influence. Environmental organisations had new opportunities to participate in international conferences and to build far-reaching networks. While aid from EU and other international sources was available during this period, it placed pressure on these groups to adopt patterns of action and organisation that closely mimicked those found in the West [*Carmin and Hicks, 2002*]. As these countries moved into the consolidation period, activism became further professionalised [*Jancar-Webster, 1998*] and sources of aid more limited. The EU was one of the few remaining donors in the region [*Carmin and Hicks, 2002*], but many of these funds were dedicated to specific types of environmental projects rather than to civil society initiatives.

### **Environmental Transitions**

In the wake of the collapse of the communist systems, Western media and scholars chronicled the tremendous environmental damage and the environmental challenges facing transition states and societies [*DeBardeleben, 1993; DeBardeleben and Hannigan, 1995; Pryde, 1995; Vari and Tamas, 1993; McCuen and Swanson, 1993; Simons, 1990*]. While severe degradation was present, these reports and studies often focused on environmental 'hot spots' or relied on data collected at points of heightened pollution [*Pavlínek and Pickles, 2000*]. They also tended to focus on environmental damages, while ignoring or downplaying more positive environmental practices and conditions in the region. For example, many countries had relatively high levels of recycling and low levels of automobile use [*Gille, this volume; Pavlínek and Pickles, this volume*]. Furthermore, these reports ignored or bracketed the presence of numerous protected natural areas and landscapes.

With the pivotal role played by ecological issues in the overthrow of the communist regime, many anticipated that environmental concern would remain prominent and that CEE countries would become environmental

leaders [Pavlínek and Pickles, 2000; Beckmann, Carmin and Hicks, 2002]. Although this potential was not fully realised, significant resources and energy have been dedicated to the development of new environmental policies and laws, the formation of political institutions, and the remediation of past environmental degradation. In terms of environmental policy development, CEE states such as Poland and Czechoslovakia were early movers. By 1992, these countries had begun to strengthen their environmental ministries and passed laws that expanded government authority to regulate environmental quality.<sup>2</sup> By 2000, such developments had moved well beyond the environmental lead states, with changes taking place in countries such as Bulgaria, Croatia, Lithuania, Slovakia and Romania [Kruger and Carius, 2001; UNECE, 1998, 1999, 2000a, 2000b, 2001].

Though environmental policy institutions have been strengthened substantially across the CEE region, a large portion of reductions in pollution emissions in the 1990s were a result of economic restructuring [Archibald *et al.*, *this volume*; HELCOM, 1998; Selin and VanDeveer, *forthcoming*]. Broadly speaking, the economic transitions away from state socialism can be characterised by three overlapping processes: privatisation, liberalisation and institution building,<sup>3</sup> all of which are intended to produce more efficient, more effective and more innovative markets and market actors. Like many aspects of the political transition, much of the economic transition has important impacts, both positive and negative, on environmental politics, policy and quality. Privatisation and liberalisation, for example, resulted in the closure of many inefficient and polluting industrial facilities, helping to reduce some types of waste and inefficiencies engendered by the subsidies and corruption that characterised state socialist economic management [Archibald *et al.*, *this volume*]. On the other hand, because these same economic processes are promoting the adoption of Western-style practices, such as material consumption, they are contributing to unsustainable environmental outcomes commonly found in Western Europe and North America [Legro and Auer, 2004; Gille, *this volume*; Gille, 2000; Pavlínek and Pickles, *this volume*; Pavlínek and Pickles, 2000].

Significant investments have been made in building environmental policy institutions. However, bringing about broad environmental policy reforms of the type required in the CEE region to harmonise with EU policies is costly. Recent reports suggest that the total cost of adopting the environmental *acquis* will range from 80 to 100 billion Euro, requiring that candidate countries spend an average of two to three per cent of their gross domestic product (GDP) to implement the environmental *acquis*. There are trade-offs between the high costs of implementing the *acquis* and reductions in expenditures and costs that will be achieved within candidate countries as a result of improved environmental quality and human health [Ecotech,



2001b]. For example, it has been estimated that by 2010 there will be a reduction in particulates by over 1.8 million tons. This translates into lower medical costs since improvements in air quality are expected to cut significantly the number of premature deaths and contribute to an overall decrease in cases of chronic bronchitis. Similarly, anticipated reductions in landfill methane emissions and improvements in urban wastewater treatment, surface water, and groundwater aquifers should produce health benefits that will result in savings in medical costs. Additionally, the expense of implementing the *acquis* will be offset by lower costs in areas such as waste collection, treatment and disposal [Ecotech, 2001b].

In the late 1990s, assessments by the EU suggested that it was unlikely that the applicant countries could comply with the *acquis* in the short term and that staggered accession would lead all of the countries to reduce their efforts at environmental protection, leading to a deterioration of environmental quality in all of Europe [European Parliament, 1998]. More recent reports, however, suggest that the presence of environmental rules and standards in the *acquis* will foster improvements in air and water quality, enhance the efficiency of waste management, and reinforce the protection of natural areas [Ecotech, 2001b]. Further, while EU policies will promote improvements in the environmental quality of candidate states, they also will reduce transboundary pollution affecting present member states [Europa, 2002b].

### **International Assistance, Capacity Development, and the Environmental *Acquis***

Environmental transition, like the more general political and economic transitions, engenders needs for different skills, information and knowledge as well as different organisational structures and social institutions than were common in the communist era. In an effort to promote the requisite changes, international assistance from various national, intergovernmental and non-governmental sources flowed into the CEE region following the collapse of the socialist systems. Many international assistance programmes with environmental components explicitly sought to develop environmental capacities of state actors and institutions, NGOs, private sector actors and domestic publics.

### **Assistance away from Communism**

The regime changes in 1989 were accompanied by a rush of international actors seeking to assist CEE states and societies in their transitions away from state socialism [VanDeveer and Carmin, forthcoming]. Bilateral assistance was offered by most West European states, the United States,



Canada and Japan and by intergovernmental organisations such as the World Bank and IMF as well as a myriad of non-governmental organisations. With stories of severe environmental degradation receiving significant play, many donors focused on providing financial assistance for pollution remediation and the development of environmental institutions [*Baker and Jehlička, 1998*].

An estimated 3.5 billion ECU was invested in environmental remediation and protection by international governments between 1990 and 1995 [*Kolk and van der Weij, 1998*]. While a significant portion of these investments came from loans through multilateral development banks, bilateral assistance efforts also were common. Germany and Denmark led the list of European donors, dedicating approximately 392 and 118 million ECU respectively to the environment. The United States committed approximately 231 million ECU to environmental issues during this same period [*Kolk and van der Weij, 1998*]. Intergovernmental donors also provided support for environmental issues. For instance, the World Bank provided loans totalling US\$788 million for environmental projects between 1990 and 1994 [*Connolly, Gutner, and Bedarff, 1996*]. In addition to providing financial support, states, national and multilateral governmental agencies, private foundations, NGOs and private firms from around the world provided scientific, technical and policy guidance during this period [*Baker and Jehlička, 1998; Gutner, 2002*].

International actors did not limit their attention to the development of governmental institutions and organisations. They also provided support for NGOs, democracy promotion and civil society development programmes [see *Carmin and Hicks, 2002; Quigley, 2000; Kolk and van der Weij, 1998*]. For example, EU and US funds were channelled towards environmental education and used to establish NGO funding programmes. They also led to the creation and support of the Regional Environmental Center (REC). Founded in 1990, REC was designed to build the capacities of environmental NGOs through training, education and direct support of environmental initiatives and to encourage CEE states to recognise and work with NGOs [*Jancar-Webster, 1998*]. In the early transition years, assistance was also offered by international environmental NGOs such as the World Wide Fund for Nature (WWF), Friends of the Earth, and the World Conservation Union (IUCN), as well as by international foundations such as the Rockefeller Brothers Foundation and the German Marshall Fund.

### **Assistance towards EU Membership**

The years immediately following the 1989 collapse of communist regimes are distinguished by efforts made to relegate authoritarianism and the

environmental damage attributed to state socialism to the annals of history. Since the mid-1990s, CEE officials and civil society actors – as well as international assistance programmes – increasingly have directed their efforts and support towards satisfying the requirements of EU accession. With many donors leaving the region, European intergovernmental organisations and the EU have become the dominant sources of financial and technical support for environmental policy change and remediation.

By the late 1990s, large percentages of EU assistance to CEE countries prioritised ‘harmonisation’ of CEE policy and practices with EU directives and regulations [see *Carius, Homeyer and Bär, 2000*]. Environment-related examples include the PHARE Twinning programme and LIFE (Financial Instrument for the Environment). PHARE (Poland/Hungary Aid for the Reconstruction of the Economy) was initially designed to assist in the development of democratic institutions and aid the economic transition. PHARE focuses primarily on increasing capacities of public organisations and, over time, it dramatically increased its environmental assistance. LIFE assists EU member states in financing nature conservation and the implementation of Community environmental policies. As aspiring EU members, Estonia, Hungary, Latvia, Romania, the Slovak Republic and Slovenia took advantage of this programme. The consolidation of EU influence in the 1990s extends to civil society assistance as well. PHARE funded CEE environmental NGOs to carry out environmental projects and the EU’s 6th Environmental Action Programme, approved in 2002, provides funds to NGOs from the EU15 and candidate countries.

### **Capacity Development and Accession**

As the enormity of the tasks associated with harmonising CEE domestic law, regulation and practices with the *acquis* came into focus, it became clear that CEE state and civil society structures and actors did not have sufficient resources to realise the necessary changes. These lagging capacities were abundantly clear around environmental issues. The term ‘capacity building’ refers to efforts and strategies intended to increase the ‘efficiency, effectiveness, and responsiveness of government performance’ [Grindle, 1997: 5]. Capacity-building activities have historically focused on the enhancement of regulatory mechanisms, technical capabilities and resource availability. As problems with many technical assistance programmes illustrate, capacity-building initiatives often fail to assess the actual roots of constraints on the performance of individuals and organisations. Instead, they focus on concrete and obvious (to donors) expressions of incapacity such as the absence of certain technologies or procedures or the failure to perform specific functions [Grindle, 1997].

Proponents of 'capacity development' suggest the frequent focus of international capacity-building programmes on such factors as the provision of training programmes, information and technologies, is not adequate to ensure public sector capacity [*VanDeveer and Dabelko, 2001; Berg, 1993*]. Instead, to promote good governance, it is essential to take a more integrated approach, considering human resources as well as organisational and institutional capabilities [*Grindle, 1997*]. While capacity development requires well-trained and well-equipped personnel, it is also essential to have effective and efficient governmental and non-governmental organisations and to establish appropriate institutional environments in which these organisations can operate [*Grindle, 1997*].

'Capacity development for the environment' (CDE) applies this more integrated perspective directly to the environmental arena [*Sagar, 2000*]. From this perspective, the capacity to implement the environmental *acquis* in CEE countries not only relies on government capabilities, but also on the combined capacities of civil society and public sector organisations and institutions [*Garvey, 2002; Ecotech, 2001a*]. For example, the effective development and implementation of pollution control and prevention programmes necessitates the clear delineation of legal and regulatory authorities at national and local levels, adequate monitoring and enforcement capabilities, and integrated processes to link scientific and technical information with ongoing legal and regulatory development [*VanDeveer and Sagar, forthcoming; Miller, 1998; VanDeveer, 1998*].

During the decade of EU-CEE accession negotiations and preparations for EU membership, the focus has remained primarily on harmonisation of CEE law and regulations with the *acquis*. Much of the EU's environmentally focused capacity-building assistance was designed to support this legal and regulatory development. Funding was often provided to support the translation of EU directives and regulations into CEE languages, educate and train CEE policymakers as to the requirements of EU policymakers, draft CEE legislation and regulations, and assess the distance or contradictions between existing CEE policy and that required by the EU. As demonstrated by periodic reports by EU and other international bodies on CEE progress towards harmonisation, these efforts have borne fruit in the form of dramatically rewritten environmental law and policy across the CEE region.<sup>4</sup> However, with the focus of these efforts on capacity building, rather than capacity development, the abilities of CEE states, NGOs and firms to actually implement this vast new body of law and regulation at the time of accession remains in question.

### ‘Europeanisation’ and CEE Accession

Foreign assistance often directs resources to remediating environmental problems and establishing new environmental programmes, policies and organisations. In CEE countries, many international assistance programmes with environmental components explicitly sought to develop environmental capacities of state actors and institutions, NGOs, private sector actors or domestic publics. While building capabilities, they also serve to diffuse norms and expertise and can thereby shape institutional development [Linden, 2002]. Improvements achieved in environmental quality and the formation of new environmental institutions in Central and Eastern Europe have been heavily influenced by foreign aid through traditional capacity-building programmes as well as those that adopt a capacity development perspective. At the same time that these programmes have reshaped CEE environmental policies, they also diffuse Western environmental norms and values [VanDeveer, 1997].

A rapidly expanding social science research agenda seeking to define, assess and measure the ‘Europeanisation’ of domestic policies testifies to both the dramatic expansion of EU competencies in many policy areas and the widespread acceptance of the fact that EU member states and societies are significantly influenced by decisions taken in Brussels [Börzel, 2002; Jordan and Liefferink, 2004; Knill, 2001; Knill and Lenschow, 2000]. While this ‘Europeanising’ turn in social science research has generally been used to understand the relationships between the EU and its member states, a number of findings and lessons from this research can be applied to EU enlargement.

One school of Europeanisation research has focused on the ‘top-down’ dynamics of EU influence on such factors as member state policy content, policy styles, state structures and processes. Another has examined the movement of various policy competencies ‘up’ to the EU level, and a third assesses the dynamic interaction of EU and member state bodies and debates [Jordan and Liefferink, *forthcoming*]. The Europeanisation scholarship focusing on the domestic adjustments needed for implementation of EU policies – the more top-down approach – is likely the most relevant to eastern expansion because of the EU requirement that CEE states enact the *acquis*. This perspective of EU–state relations begins with the assumption that member states must change to accommodate EU policy decisions. This is certainly the case for CEE states required to adopt the entire *acquis* – a body of law that CEE officials did not participate in making.

Europeanisation scholarship analyses EU-induced domestic adjustment through one of three general mechanisms or causal pathways [Knill and Lehmkuhl, 1999]. The first, a hierarchical institutional model, suggests that

subordinate units, such as EU member states, adjust domestic institutions when required to do so by EU policymaking processes. From this point of view, EU decisions prescribe changes that formally subordinate organisations such as member states are supposed to accommodate. Altering domestic opportunity structures is a second pathway through which change can take place. This approach examines how incentives for various actors in domestic politics are altered by international processes such as EU political debate and policymaking. Changing incentives for actors may, for example, result from changes in market incentives within the EU's single market [Andonova, 2003]. They might also stem from the ability of domestic environmental officials to leverage EU environmental policy debates or requirements into greater domestic political influence. The third mechanism of Europeanisation sees actors changing more than their strategies and interests; they change their preferences, beliefs and expectations. For example, environmental concern and awareness among citizens or policymakers may be increased by EU policy debates, procedures and dictates. If this happens, actors' preferences regarding policy and environmental quality may be changed [Knill, 2001; Knill and Lehmkuhl, 1999].

### **EU Enlargement and the Environment**

In the years following the transition and leading towards accession, CEE countries have focused on supporting negotiations and harmonising law and regulatory policy with EU directives. While these processes have their costs and benefits, as the three pathways suggest, they also serve as conduits for Europeanisation of CEE states and societies. Accordingly, many accounts of CEE transition focus on the socialisation processes stemming from EU influence, giving limited attention to the role of domestic agency and action. Further, most accounts of Europeanisation and capacity development address a wide range of substantive areas [Cowles, Caporaso and Risse, 2001; Linden, 2002]. This volume uses environmental governance and action as a means for understanding the profound role that the EU plays in shaping norms and practices and, at the same time, the interactions between external forces and state-level agency and history.

This volume brings together scholars and policy practitioners with a broad range of intellectual training and backgrounds. Because the authors are not bound by a single conceptual framework or set of questions, their diverse training and perspectives provide a basis for broad understanding of the interactions between international influences and domestic agency. The authors were selected for their substantive areas of expertise, their knowledge and experience in CEE countries, and the unique vantage point

that they could provide on EU enlargement and the environment. Each was charged with addressing the anticipated impact of EU enlargement on environmental policy and politics, paying particular attention to socialisation and the diffusion of ideas, norms and practices, capacity development for the environment, the role of non-state actors and civil society, and changes in environmental quality. Authors were encouraged to address accomplishments to date and remaining challenges associated with environmental institutions. They were also asked, where appropriate, to assess environmental outcomes.

Many of the volume's contributors draw examples and case material from Hungary, Poland and the Czech Republic. This focus mimics a commonly held belief that this group of countries would be among the first to join the EU. Although these countries appear throughout the volume, a number of contributions also examine them relative to other CEE countries, developing regional insights and trends. As a result, this volume provides depth of analysis of a small group of nations while offering sufficient breadth to afford a comparative perspective.

### **Organisation of the Volume**

Each of the volume's authors address state-level opportunities and tensions arising from the harmonisation and transposition processes. At the same time, each also focuses on a particular aspect of EU enlargement, using a unique lens to understand its implications for the environment. Part I, 'EU Enlargement, Institutions, and Environmental Politics', considers broad institutional changes associated with EU enlargement from practical and theoretical perspectives, drawing attention to changes in EU institutions as well as to those in CEE states. Schreurs examines the effects of the CEE accession on environmental policymaking within the EU. Drawing on evidence from the historical development of EU environmental policy authority and from previous expansions in EU membership, she argues that harmonisation offers opportunities for innovation and collaborative approaches to problem solving. Most importantly, Schreurs asserts that by making investments to remediate pollution and enhance environmental quality in CEE and by promoting aggressive environmental policies, the EU is assuming a regional and global leadership role in environmental protection.

Homeyer brings a more theoretical perspective to this section, using a historical-institutionalist lens to examine the potential impact of enlargement on areas of EU environmental governance. He anticipates that enlargement will affect three distinct EU governance regimes – the internal market, environmental management and sustainability regimes – that

comprise and help to reproduce EU environmental policy. He maintains that the interrelated institutional mechanisms associated with each of the regimes will contribute to overall resilience and stability of environmental governance.

While Homeyer examines the impact of change, the final contribution to this section by Jehlička and Tickle examines the presence of institutional capacity to implement the *acquis*. The authors use empirical evidence to support their claim that CEE states have taken on passive and reactive roles regarding EU environmental policy, with national perspectives and priorities now dominated by EU goals and interests. While EU policies have been transposed in earnest and good intentions abound in CEE states, implementation of the body of newly transposed laws and policies will be difficult to realise in the short term owing to capacity limitations. At the same time, Jehlička and Tickle remain sceptical that CEE states' entrance into the EU will greatly slow or reverse the Union's environmental policy expansion, as many Western analysts have claimed. Together, the three chapters in Part I suggest that fears of negative CEE impacts on EU environmental governance expressed by many in Western Europe are overdrawn.

The contributions in Part II, 'Environmental Policy Challenges', examine pressing issues faced by accession countries as they gain EU membership. Using their particular issue areas and country cases, the contributors draw general lessons and conclusions about EU environmental policy and the challenges faced by various actors in an enlarged EU. Kružíková initiates the section with an investigation of legal institutions and the legislative challenges that countries face as they near accession. Using the case of the Czech Republic, she briefly describes how much environmental law has changed since 1990 to become increasingly harmonised with EU law. While the adoption and transposition of EU laws is a necessary step towards CEE accession, this set of challenging tasks has been accomplished within the context of many remaining aspects of the socialist legal order that developed over 40 years. Kružíková maintains that adoption of the laws alone and the accompanying mandate that national law be superseded by Community law pose numerous domestic and international institutional challenges. She suggests that the implementation and enforcement of Community laws creates tensions in domestic legal culture and practices, particularly in the face of numerous capacity limitations within the legal system. Unlike many other analysts, Kružíková argues that some implementation difficulties for CEE states stem from the content and nature of EU law, and not only exclusively from deficiencies in CEE countries.

Gille's discussion of waste and waste minimisation in Hungary argues that the EU sends mixed messages to candidate countries. On the one hand, the EU requires the adoption of waste management and recycling policies.



On the other hand, it is promoting consumption and the use of non-recyclable materials. Understanding issues pertaining to waste is critical since this has been one of the most difficult policy issues for the accession countries to tackle and is one area where extensions for compliance have consistently been granted. Moreover, this case provides an example of how market forces play into environmental decisions and how some environmental conditions may have been more sustainable under the former regime.

Gille's articulation of the presence of mixed messages within a single policy arena is similar to the types of tensions that Beckmann and Dissing demonstrate are present across policy domains. They suggest that the EU has developed rural policies and agricultural programmes that have the potential to build local capacity and enhance environmental quality. At the same time, overall environmental quality and sustainable development are undermined by the goals, practices and incentives supported by many EU funding programmes, including those designed to prepare countries for EU accession. In conclusion, they argue that, although EU rural and agricultural policies are unable to realise the promise of sustainable agriculture, NGOs and foundations are assuming leadership roles in fostering rural sustainability. Nevertheless, such actors face the daunting challenges presented by EU policies and EU-driven incentives that contradict movement towards sustainable agriculture.

Axelrod chronicles political processes and decisions associated with the controversial Temelín nuclear power plant in the Czech Republic. This case illustrates strengths and weaknesses of environmental policy and politics within the EU and between EU members and CEE candidate states. The Temelín case also highlights the EU's role as potential intermediary in bilateral disputes between EU members and non-members. In the process of chronicling the developments related to Temelín, Axelrod argues that the EU plays a powerful role in shaping the norms and behaviour of both member and applicant states. Her piece demonstrates that bilateral disputes, and the EU role in them, can be especially difficult to sort out when they concern issues such as nuclear power plant safety standards, around which the EU has very little regulatory competency and about which its member states differ greatly.

Environmental issues and organisations played critical roles in the overthrow of the communist regime. While all of the volume's authors acknowledge the significance of non-state actors in accession and environmental governance, Part III, 'Civil Society in an Enlarged EU', takes an in-depth look at CEE civil society development and the relationships between these organisations and EU bodies. Hallstrom initiates this section with an investigation of the informal dynamics of

environmental politics and governance. Drawing on interviews with EU officials, he maintains that the participation of non-governmental organisations in Brussels, particularly those that do not have specialised scientific or technical expertise, is limited to symbolic gestures and token forms of involvement. Rather than candidate states pushing for greater inclusion of these groups, they tend to reinforce the technocratic, top-down approach to governance common in Brussels. Even though NGOs presently may have limited involvement and influence, Bell maintains that accession will create important opportunities and critical obligations for these groups to contribute to environmental policy and management in the CEE region and across Europe. Her contribution furthers the theme of EU domination of political agendas introduced in Part I. Bell suggests that in the short term, involvement will be oriented to agenda items and issues that are established by the EU. At the same time, she maintains that if NGOs can utilise the opportunities available to them, they will serve important roles in building stronger and perhaps more enduring ties between government and civil society actors in the CEE region.

In the final contribution to Part III, Hicks takes these arguments a step further by suggesting that the EU is a source of diffusion for environmental norms and practices. She presents a framework used to gain greater understanding of the different ways that EU bodies shape the agendas and actions of environmental movements and movement organisations. She maintains that centralised decisions and decision-making processes influence environmental activism. However, this is just part of the story since laws, policies, funding and organisational requirements that place constraints on power and resources also channel the priorities and activities of environmental activists. Hicks limits her examples and analysis to environmental movements and movement organisations. However, taken as a whole, Part III suggests that the entire transition, harmonisation and accession processes are shaping – even defining – the actions and agendas of civil society actors more broadly. This raises questions about whether such groups actually function as an independent ‘third sector’, or whether they have aligned their goals and priorities too closely to those of the EU.

The contributions in Part IV of the volume, ‘Environmental Outcomes: From State Socialism to EU Membership,’ reflect on environmental outcomes achieved to date and highlight numerous challenges faced by the accession states and, by implication, the enlarged EU as a whole. Pavlínek and Pickles demonstrate that implementing the environmental *acquis*, like broad based economic and political reform, is a complex process in countries with a legacy of socialism and environmental struggle. They agree with other authors in the volume who suggest that significant environmental improvements have been achieved, though they maintain that these results

stem from both economic reforms and environmental policy action shaped by the *acquis*. They also assert that the break with socialist practices has not been fully realised and that limitations of EU policies and the promotion of unsustainable consumption may have unintended environmental consequences over the long term. The contribution by Archibald, Banu, and Bochniarz focuses on environmental changes driven by market liberalisation and privatisation. They argue that significant pollution reductions have been achieved and that associated health and social gains also have been realised in those states that enacted the quickest and most dramatic economic reforms. Kramer concludes Part IV by highlighting a set of key challenges faced by accession states and, by implication, EU institutions and the other countries remaining in line for EU membership. In so doing, he outlines numerous fiscal, administrative, environmental, democratic, nuclear, and political tasks that lie ahead. The volume's conclusion summarises some of the main points raised by the contributors and draws out lessons and possible implications of eastern accession to EU membership.

### **Key Themes and Arguments**

Collectively, the contributions in this volume examine environmental initiatives driven by EU policies and programmes and the desire of CEE officials and publics to gain EU membership. They also explore the impacts of the EU on environmental policy and protection, as well as the relationship between government and civil society actors in the policy process. When reviewed as a whole, the authors suggest that CEE states have significant capacity limitations, but are making concerted efforts to address them even in the face of the mixed messages they are receiving as a result of the EU's conflicting priorities. The authors further note the importance of non-state actors, both with respect to their present accomplishments, and, more importantly, as an untapped resource that can benefit CEE states and the EU alike. Finally, the contributions suggest that individual CEE states and NGOs could bring knowledge to the EU, in contrast to the unidirectional dynamics of the accession process that have assumed that CEE states and societies were only recipients of expertise. A more concerted effort to promote a multi-directional exchange of ideas and information between the EU15, accession states, and NGOs and officials in Brussels is likely necessary to realise this joint learning potential.

Some of the points raised by the authors reinforce prevailing arguments in the literature. In particular, they maintain that EU pressures are not only altering environmental policies and incentives, but also are changing values and behavioural norms in individual countries. However, while the

Europeanisation debates centre on EU–member state relations, the authors suggest that external pressures in the race to accession are promoting Europeanisation in applicant states and that all three of the pathways associated with Europeanisation are contributing to the changes in environmental governance and behaviour that have taken place across the CEE region. They observe that the transition and accession processes of the last several years have changed both the strategic environment in which CEE domestic actors operate and the values, beliefs and norms held by some CEE individuals, groups and organisations.

Together, the contributions indicate that accession does not preclude opportunities for independent forms of national and sub-national action in the new member states. CEE states potentially offer perspectives, resources and innovations that could enhance EU policy along important dimensions. In other words, not only are opportunities present for independent state action and the influence of domestic actors, but the potential exists for CEE countries to strengthen EU governance. These views represent different framings of Europeanisation and EU enlargement than have been articulated to date. In effect, the contributions collectively suggest that, although various environmental policy and civil society capacities are limited in CEE states, these countries have the potential to make genuine contributions to EU environmental policy and quality. Further, despite the many challenges associated with eastern accession documented in the contributions that follow, this volume suggests that enlargement presents the EU with numerous opportunities to enhance its leadership role in regional and global environmental politics.

#### NOTES

1. For general discussions of economic transitions from communist to capitalist economic systems see Aslund [1999], Gerber [2002] and World Bank [1996].
2. See Table 1 in Kružíková (this volume) for an illustrative summary of changes in the Czech Republic.
3. Across the transition period, there have remained tensions between institution building and public and private sector capacity-building programmes and the logic of privatisation, liberalisation and decentralisation. Privatisation essentially involves the transfer of state-owned property to private hands. Liberalisation is a general term often used to refer to the ‘freeing’ of various economic sectors or transactions from state or monopolistic control.
4. See, for example, REC [1996, 2000], the European Commission’s series of ‘Regular Reports’ on enlargement and on progress toward accession [e.g. *European Commission, 2001*], and the series of ‘Environmental Performance Reviews’ organised under the auspices of the Organisation for Economic Cooperation and Development and the United Nations Economic Commission for Europe [e.g. *OECD, 2000; UNECE, 1996*].

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