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Environmental Implications of Eastern Enlargement of the EU:
The End of Progressive Environmental Policy?

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1. INTRODUCTION *

Similarly to other public policies in Central and East European countries (CEECs), the development of environmental policy in the 1990s has been subject to two imperatives. It has had to respond to the needs arising from the environmental legacy of the socialist period on the one hand, and to the challenge of legal and institutional adjustment to the EU environmental *acquis communautaire* on the other. At the same time, however, environmental policy is for two reasons a distinctive case among other public policies in the CEECs. First, while in other policy areas the character of EU — CEEC relations has been asymmetrical throughout the whole post-socialist period, there is a history of CEECs' pro-active approach to environmental policy, both nationally and internationally. Second, it is unlikely that any other policy area has during the 1990s experienced as profound a reversal as the perception by CEE societies and political elites of environmental policy. The immediate post-1989 environmental policy developments were marked by a high degree of government attention accompanied by hectic legislative activity, generous government and private spending and active involvement in international developments. However, after 1992 the perception of environmental policy reform changed. While the legal and institutional environmental policy reform in CEECs continued, it could no longer rely on its domestic base and its continuing development became a function of what Slocock (1996) calls the "structural imperative" of environmental reform in CEE, i.e. an unwelcome but necessary part of accession to the EU. The overriding concern of CEECs in the late 1990s has become the minimization of the impact of environmental harmonization with the EU on their economic growth and competitiveness. In contrast to the early 1990s' pro-active approach to environmental policy, including attempts to shape the policy agenda at the continental scale, the main features of CEECs' approach in the late 1990s have been a passive compliance with EU requirements and a strictly national perspective.

The approaching closure of the chapter "Environment" in the accession negotiations with several CEE applicant countries is a timely reminder of the need to add a new perspective to that in which the relations between the EU and CEECs in the environmental sphere have been studied. In the "Europeanization of CEECs' national environmental policy" perspective, research focused on the one-way process of CEECs' adaptation to EU requirements and on the management of this process by the European Commission.

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Several scholars have recently theorised about the possible impact of eastern enlargement on EU environmental policy. Regardless of their analytical approach, they have come to the common conclusion that the EU membership of CEE countries will lead to a downward pressure on EU environmental policy. However, in these considerations the impact of eastern enlargement on the EU appears to be a function of EU-related variables such as its administrative and financial resources, as well as their deployment strategies in the process of CEECs' integration in the Union. The top-down perspective of analysis is thus essentially maintained. Little attention has so far been paid to CEECs' interests, preferences and priorities.

Using the four Visegrad countries (V4)¹ as a case study, the purpose of this paper is to supplement the existing literature with some preliminary observations on the possible implications of eastern enlargement for EU environmental policy from an applicant states-centred perspective. To that end, 29 in-depth interviews were carried out with environmental policy experts in V4 countries in 2000² supplemented by five interviews conducted in the end of 2000 and at the beginning of 2001 with experts from EU countries³ who have a substantial experience of the current CEE candidates countries' environmental policy-making.⁴

The paper is organized in the following way. Section 2 discusses insights from the existing academic literature on the implications of eastern enlargement for future EU environmental policy. More specific questions arising from this discussion to which this paper seeks to provide answers are formulated at the end of the section. Section 3 outlines some theoretical difficulties of exploring future environmental policy implications of CEECs' accession to the EU. Following Andersen's and Liefferink's (1997) approach to studying the influence of individual states on EU environmental policy, the paper then proceeds with presenting domestic and international policy activities of the V4 countries in the 1990s that may be indicative of their attitude toward future EU

¹ V4 are the Czech Republic, Hungary, Poland and Slovakia. The first three countries of this group are with Estonia and Slovenia among the five so called pre-ins, supposed to accede to the EU in 2003 or 2004 (Holzinger and Knoepfel 2000: 3).

² 15 interviews were conducted in the Czech Republic, five in Hungary, four in Poland and five in Slovakia. Among interviewed experts were members of parliaments, former ministers of the environment, academics, NGO activists, civil servants and consultants. Eight out of 15 Czech interviews were conducted for the project by Ivan Rynda.

³ These interviews were carried out by Andrew Tickle.

⁴ I wish to acknowledge the contribution of Ivan Rynda and Andrew Tickle in designing the questionnaires and their participation in conduction of interviews. The two projects were funded by the Czech Ministry of the Environment (project No. EU/043/99) and the Czech Ministry of Foreign Affairs (project No. RB 5/14/00).

environmental policy-making (section 4). Section 5 provides an overview of V4 states involvement in international environmental politics. Section 6 presents experts' ideas of future strategies of the V4 countries in an enlarged EU. The Conclusion discusses whether this paper's findings suffice to challenge the commonly held view of eastern enlargement's implication for EU environmental policy.

2. ENVIRONMENTAL IMPLICATIONS OF EASTERN ENLARGEMENT: THE NEED FOR AN APPLICANT STATES-CENTRED APPROACH

When analyzing the environmental policy dimension of eastern enlargement, both west (e.g. Connolly et al. 1996, Slocock 1996 and 1999) and east European authors (e.g. Stehlik 1998, Kerekes and Kiss 1998, Miko 2000, Zylicz and Holzinger 2000, Baskyte and Kundrotas 2000) are concerned with the CEECs' adaptation to EU environmental *acquis* in a narrow "technical" sense, i.e. in terms of the efficacy of the transfer of these institutions to the domestic context. Other authors are more critical of the nature of the relationship between the EU and the applicant states. Caddy (1997) describes the EU-CEECs environmental policy co-ordination as a hierarchical imposition. Baker and Welsh (2000) emphasize the patently undemocratic character of the harmonization process in which CEECs are obliged to adopt the complete body of the EU *acquis communautaire* over whose formation they have no say.

According to Baker and Welsh (2000: 95) there are two reasons why this lack of democracy is particularly paradoxical in the field of the environment. First, the development of environmental policy in the current EU has had a democratizing influence upon both the structures of governance of member states and of the Union (in particular the Commission and the Court of Justice). CEECs that have to adopt these norms lack the access to the EU structures. Second, because in many CEECs the struggle for the environment during the socialist period was the main manifestation of efforts for democratization, the democratic deficit of the current environmental harmonization of CEECs with the EU poses, theoretically at least, a threat to deligitimize the whole process of integration

Authors who discuss the implications of eastern enlargement for EU environmental policy commonly assume that the accession of CEE applicant countries will lead to a "downward pressure on environmental policy" (Baker 2000: 164) of the EU. Pellegrom (1997: 55) has expressed a similar view:

The consequences for the power relations in environmental policy are severe. Most of the prospective members are former Eastern block countries, with low environmental standards and a desperate need for economic development. In environmental policy they will probably far outdo the most reluctant of present member states, unless the other states come up with huge funding for environmental policy. Therefore, within only a limited number of years, environmental policy will be subject to many more conservative positions than progressive ones.

More recently, Holzinger and Knoepfel (2000: 15) have argued:

(I)n the long term, there is a risk that the jointly decided level of environmental protection will decrease. The CEECs do not have a tradition of strong environmental policy and in the future they will probably give economic development priority over stringent environmental policy. Hence, most of them will presumably join the group of environmental laggards within the European Council of environment ministers. As a result, on the basis of the present rules for distribution of votes within the European Council, laggards will be in the majority after the accession of the first five CEECs.

Von Homeyer and his colleagues' concern is the risk of renationalization of EU environmental policy as a consequence of eastern enlargement (von Homeyer et al. 2000). They discuss the likelihood of renationalization through the lenses of two theoretical frameworks — liberal intergovernmentalism and historical institutionalism. According to the former, accession of CEECs is likely to lead to a partial renationalization of EU environmental policy due the lack of funding provided by the EU to avert a number of transitional periods required by the candidates, as well as a lack of radical reform of EU decision-making that would prevent laggards from blocking stricter environmental legislation in the future. According to the latter, eastern enlargement may lead to a new stage in the development of EU environmental policy rather than to its partial demise. Responding to the threats of enlargement, the Commission will increase the effectiveness of its pre-accession assistance and at the same time will further strengthen the emphasis on flexible regulation. Thus CEECs' own strategies, priorities, resources and interests in the post-accession period receive little attention in these considerations. Instead, they are based on the assumption of the extension of today's asymmetric relations between the EU and the CEECs into the future and of the continuity of the candidate countries' reactive behaviour.

To sum up, the existing literature on the environmental dimension of eastern enlargement is predominantly concerned with the past and present courses of the Europeanization of domestic environmental policy in the candidate states (top-down approach) and only rarely adopts a future-oriented perspective, i.e. the impact of enlargement on EU environmental policy. Second, those authors who discuss future implications of enlargement (von

Homeyer et al. 2000, Carius et al. 2000), also pay only a cursory attention to CEECs-related variables other than the number and length of required transitional periods. In other words, most of this literature considers the applicant countries as passive subjects of the EU's management also in the post-accession period. This implies that their domestic base of environmental policy will be weak and incapable of transferring domestic environmental policy concepts to the EU level. Third, it is also assumed that the new members will maintain their negative approach to EU progressive environmental policy after they join the EU. This would in practice mean that they would either try to block the adoption of new legislation or prefer lower standards. However, as Aguilar Fernandez (1997) points out, passivity in the process of EU environmental policy making can be disadvantageous for a given member state because if leader states succeed with their policy proposal, it will still have to adopt a new legislation over whose creation it had little or no influence. Fourth, the expectation that the CEECs' accession will lead to a downward pressure on EU environmental policy assumes that they will co-ordinate their conservative stance not only among themselves but also with the current group of laggards.

However, it is equally possible to list several arguments that qualify this foregone conclusion and suggest that the possibility of CEECs taking a more progressive and pro-active approach to EU environmental policy should not be ruled out. As von Homeyer (2001) points out, economic, administrative and political factors unfavourable to CEECs pursuing progressive policy may be partly compensated for by factors such as geographical and cultural proximity with some leader countries, similar types of environmental problems to those that prompted leaders to act and the fact that CEECs are importers of transboundary air pollution. Thus even for states with a weakly developed domestic social base, there is an incentive to take an active part in the EU-level of environmental policy-making.. Furthermore, there is the historical lesson of the "Dobris Process" that was set in motion by CEECs in 1991. There are also several specific pieces of legislation (SEIA in particular) adopted at around the same period that were more progressive than the existing EU legislation. In addition, Thorhallsson (2001) argues that despite their limited resources, smaller member states can be effective in pursuing their interests at the EU level due to the special feature of their administration and the necessity to prioritize between sectors (see below further details of her argument).

However, it is true that it is usually almost impossible to identify the EU integration-related interests of CEECs other than gaining full membership in the Union. As Agh (1999: 85) observes in the Hungarian case, there are still many non-articulated interests with their unpredictable behaviour in the accession process which would increase the political fights between winners and losers,

and this non-involvement distorts the policy-making process. This paper provides abundant evidence that the environment is a prime example of such a policy area of non-articulated interests.

This paper searches for signs pointing to an alternative approach by V4 countries' approach to EU environmental policy, other than the model of the reactive and passive adaptation. This paper is based on the assumption that once the current process of V4 countries environmental adaptation is concluded and these countries become full members, they will have an equal opportunity to follow their interests as other member states. Another assumption is that the Commission's high degree of influence on the candidates and its insistence on their full adoption of environmental *acquis* with only a limited number of transition periods allowed⁵ will lead to a relatively high degree of CEECs' harmonization with the EU when they join the Union. This should considerably reduce the threat of the trend towards the renationalization of environmental policy in the future. On this basis I formulate the following two sets of questions:

- What is V4 states' domestic base of environmental policy? Are there signs indicating that in some areas of domestic environmental policy the strategy of passive adaptation to the EU has an alternative in a more pro-active approach by V4 countries? Are there signs of potential for developing new concepts of policy, based on their domestic experience?
- What is V4 states' capacity to shape EU environmental policy? Are V4 countries likely to pursue, at least in some areas, pro-active environmental policy at the EU level? What is the likelihood that they will not co-ordinate their efforts to slow down the development of EU environmental policy among themselves and with the group of laggards?

3. THE LACK OF THEORY OF NATIONAL INTEGRATION

When attempting to formulate the possible implications of eastern enlargement on EU environmental policy from the applicant states' perspective, one is confronted with the lack of a suitable theoretical framework:

Integration theory has focused on describing and explaining integration processes and the role of supra-national actors such as the Commission and the European parliament. On the other hand, the role of the policies, interests and actions of its most important actors, the nation-states, has been neglected by theory; existing efforts are mainly empirical and a-theoretical,

⁵ For the account of the reduction of the number of transitional periods required by the Czech Republic see Moldan 2001.

concentrating on national peculiarities rather than on establishing a theory of national integration policy (Petersen 1998b).

Similarly to Petersen, Thorhallsson (2000) also notices the neglect of smaller states and their possibilities in the theory of international relations. Following Kelstrup she observes that when theories have dealt with smaller states in studying foreign policy, the highest priority has been given to the study of the adaptive policy of small states in regard to the power politics of superpowers and not to the participation of small states in integration processes. (Kelstrup in Thorhallsson 2000: 6-7).

In another article Petersen (1998a) formulates his general theory of national integration in the EU which is based on the premises of adaptation theory. This theory assumes that foreign policy consists of policy-makers' actions to manipulate the balance between their society (i.e. internal factor) and their external environment in order to secure an adequate functioning of societal structures in a situation of growing interdependence (Petersen 1998a: 37). Depending on the balance between the degree of control over its external environment (influence capacity) and the degree of sensitivity to the outer world (stress sensitivity) a state can pursue four types of integrational strategies. The first is dominance (high influence capacity, low stress sensitivity), under which the state is able to make demands on partner states in the integration process without giving concessions in return. The second is a policy of balance (high influence capacity and high stress sensitivity) which describes an ideal form of a national integration strategy. The third is a policy of acquiescence (low influence capacity, high stress sensitivity), essentially a subordination of domestic priorities to externally defined ones. The fourth category is a policy of quiescence (both low influence capacity and stress sensitivity), which is typical for low-influence countries.

Petersen's typology enables me to assess at the general level the approach of V4 countries to policy-making in the enlarged EU. In line with expectations expressed in quotations in section 2, it seems likely that due to their lack of both tangible resources (such as a strong economy, military power) and intangible resources (such as diplomatic skills, policy expertise, willpower) for influence capability, V4 countries will oscillate after their accession, in terms of Petersen's typology, between the acquiescence and quiescence category. The former, which presupposes a limited degree of influence capability and a great dose of stress sensitivity, is typical for applicant states who have to make a lot of concessions as they have to adapt their policies to membership. The latter means preference for a low-participation strategy aimed at limiting concessions

in the integration process. It is also a strategy of non-commitment, i.e. of loose ties to the integration process, perhaps concentrating on a few goals or aspects.

Thorhallsson's (2000) thesis about the behaviour of smaller EU states also suggests that in certain areas even small states with limited resources can exert an influence on the EU. Despite its different sectoral perspective,⁶ Thorhallsson's work on the behaviour of smaller states in EU integration is also pertinent to this paper's topic as it provides a framework for considerations of the behaviour of CEECs in the area of environmental policy. With the exception of Poland, the other V4 countries and in fact all other CEE candidate countries fall in the category of smaller states. Thorhallsson's argument, in which she develops Katzenstein's (1985) theory, is that smaller states' behaviour in integration differs from the large states. This is explained by their small administration, which does not allow them to follow all negotiations due to the lack of staff, expertise and other resources. As a consequence, they behave reactively in most sectors. But in the most important sectors for them, they adopt pro-active behaviour. This is enabled to them by certain features of the administration such as informality, flexibility and greater room of manoeuvre for their officials. Due to their smaller range of interests they can, unlike the larger states, prioritize between sectors.

One of the few attempts to develop a more theoretical approach to the question of the influence of member states on EU environmental policy is Andersen's and Liefferink's (Andersen and Liefferink 1997, Liefferink and Andersen 1998) endeavour that builds on several related theoretical concepts.⁷ Recognizing the reciprocal nature of EU policy-making, the purpose of the Andersen and Liefferink paper (1997) is to examine the domestic politics of environmental policy-making in the pioneer states and analyze the link to Brussels' politics. Literature on laggard countries' adaptation strategies to European environmental policy and on their attempts to influence EU level is much rarer (but see Aguilar Fernandez [1997] on changes in Spanish strategy in post-accession period).

However, this approach's applicability to the countries examined in this paper is subject to several limitations. First, Andersen and Liefferink's work is

⁶ Thorhallsson analyses two EU policy areas: the CAP and the regional policy.

⁷ First, on Bulmer's (1983) argument about the necessity of understanding individual governments' position in order to understand the outcome at the EU level. Andersen and Liefferink (1997) also refer to Moravcsik's (1993) argument about the domestic politics as a precondition for the analysis of interaction among states which is related to Putnam's (1988) concept of the two-level games.

concerned with the “domestication” of EU environmental policy in connection with states that are members of the EU, although in the case of Sweden, Austria and Finland they also analyze the pre-accession period of environmental policy. Second, the analyzed countries are referred to as pioneers or leaders, i.e. countries with highly developed domestic environmental policy that they often seek to transfer to the EU level.⁸

However, the concepts from which Andersen and Liefferink derived their analytical tool were developed neither specifically for the group of pioneer countries, nor in fact for the purpose of EU studies. In the absence of a theoretical framework that would better match the dynamic discussed in this paper, the following three sections of the paper loosely apply Andersen’s and Liefferink’s (1997: 16) approach to studying the influence of individual states on EU environmental policy. I will first present factors from past developments of V4 countries’ domestic environmental policy-making that may be indicative of their attitude to future EU environmental policy. Second, I will draw insights from the past record of V4 states’ international environmental strategies. While the EU dimension of V4 states environmental policy was defined by the goals of harmonization and instances of their own strategies are almost ruled out, I will also be searching for them in other areas of environmental foreign policy that are not constrained by the EU integration process. The future implications of V4 accession are discussed on the basis of two separate sources of information. The first is the only currently existing official document summarising the views of CEECs’ experts and policy-makers about the future development of EU environmental policy, namely the “Applicant Countries’ Contribution to the 6th Environmental Action Programme of the EU” (REC 2000).⁹ The second source consists of 29 expert interviews. Due to a remarkable similarity of views expressed in the interviews and due to the summarizing character of the document “Applicant Countries Contribution” (REC 2000), the four V4 countries are in the following three sections of the paper treated as a group without internal differentiation. Nevertheless, those cases where a significant diversity of views among individual countries’ experts occurred will be brought to light.

⁸ For reason explaining the efforts to transfer domestic policy of highly regulated member states to the EU level see e.g. Heritier (1996).

⁹ This document was compiled by the Regional Environmental Center for Central and Eastern Europe (REC) in Budapest for DG Environment of the European Commission. The Applicant Countries’ Contribution (REC 2000) does not specify the experts’ countries of origin. Presumably though, more than four V4 countries were involved and it is likely that experts from all 10 official CEE candidate countries participated.

4. DOMESTIC FACTORS RELEVANT FOR V4 COUNTRIES' APPROACH TO EU ENVIRONMENTAL POLICY

Andersson's (1998: 4-5) description of the development of environmental policy at the domestic level in Poland in the 1990s is applicable to the whole V4 group:

In the 1989 election campaign, environmental protection was placed third in Solidarity's list of priorities, behind issues such as food and housing. Since 1989, the environment has gradually lost much of the prominence on the political agenda it had enjoyed in the latter part of the 1980s. The examples are legion: the political parties attach little priority to the environment and few of them have elaborated their own environmental policy programs; the issue has not been discussed in the campaigns before the parliamentary elections in 1991, 1993, or 1997; none of the four green parties have been close to coming into the parliament; and the Ministry of Environment, Natural Resources and Forestry has suffered low status in all governments that have formed since 1989. In addition, it must be emphasized that environmentalists are isolated in Polish society. They have few members; those who joined the green movement in the 1980s in order to take up the battle against the communist system have left. The environmental movements tend to rely on support from the West rather than from Polish people.

The enthusiasm behind the immediate post-1989 environmental reforms in V4 countries was a consequence of the role environmental protests played in overthrowing the previous regime. In some cases this led to the adoption of progressive environmental legislation that went further than the existing EU legislation, such as SEIA in the former Czechoslovakia. It is symptomatic that at present such legislation that goes above the EU harmonization requirements is being dismantled. This is also a reflection of the commonly held view in V4 states that environmental problems have been resolved by the end of the 1990s. For instance, there is a considerable degree of complacency in the Czech Republic, in particular in local governments and industry, with the reduction of air and water pollution in the course of the 1990s. The prevailing feeling is that "we have done too much for the environment." In this situation demands for further improvements of the state of the environment are perceived as inappropriately excessive (GA&C 2001).

4.1 Western management of environmental transition

The demise of the socialist system in CEE broadly coincided with the culmination of the most significant shift of the western environmental governance over the last 30 years characterized by Bernstein (2000) as a convergence of environmental and economic norms towards "liberal environmentalism". As Bernstein further argues, in the form of the concept of sustainable development the 1992 Earth Summit institutionalized these norms, which predicate environmental protection on the promotion and maintenance of

a liberal economic order. This corresponded with the existing environmental discourse in V4 countries that was construed before 1989 as a discourse oppositional to the official one. The fact that environmental problems as perceived in V4 countries before 1989 (i.e. as cases of excessive local industrial pollution endangering human health) were in the West by that time essentially resolved, contributed a great deal to the creation of an oppositional environmental discourse in V4 states. Its main principle was that the adoption of the free market and democracy were the key conditions for successful environmental reform in V4 countries. “Liberal environmentalism” started to be exported to V4 states shortly after 1989. As Slocock (1999) explains, the less the western governments were willing to shift their domestic political priorities sufficiently to find space for the costs of funding an effective and smooth transition process in CEE, the more enthusiastic they became about an alternative approach to influencing the process of transition. This alternative was:

to focus western efforts on influencing the management of the transition process. This has been done in many fields, but nowhere more notably than in the area of environmental policy, where a thoroughgoing transnationalization of environmental policy process began in 1991 (Slocock 1999: 155).

4.2 Domestic environmental policy actors

Despite the significant role played by environmental political mobilization in the 1989 overthrow of the former regime, for most of the 1990s V4 countries lacked powerful domestic actors in environmental politics. Initially relatively strong green parties disappeared almost without a trace within two years after the fall of the old regime.¹⁰ Thus, it is now environmental groups that are the main political actors and sources of social communication about the environment in V4 countries. However, after more than a decade of activity, the existence of these groups is still critically dependent on external (i.e. western) financial assistance.¹¹ Despite the massive foreign support aimed at the development of civil society, combined membership of environmental groups in V4 countries was by the late 1990s lower than in the late 1980s. Despite the EU origin of a significant part of their funding, environmental groups in V4

¹⁰ An informed account of this development at the CEE aggregate level is in Jancar-Webster (1998). For the description of the Czechoslovak case see Jehlicka and Kostecky (1992 and 1995).

¹¹ In 2000 85 per cent of the annual income of the most active Czech „new,, environmental group Hnutí DUHA came from foreign grant agencies or Czech foundations that distribute foreign funding. Membership fees made up only three per cent of the income (Hnutí DUHA 2000).

countries have not showed much interest in EU environmental policy, mainly because the funding bodies' main goal was to strengthen groups' capacity locally or nationally. Only recently have the availability of EU pre-accession funds to V4 states started to generate some interest in EU environmental policy, although only in terms of the implementation of the environmental *acquis* in the candidate states. The scale of these activities thus remains at the national level at best:

We organised training (programmes) for NGOs about EU integration, but our knowledge of integration is very weak...We organised it, but were also listeners, as were the others... Only a few lecturers had knowledge that we wanted. Their knowledge was also very narrow. Now I see it, but I do not know other people who could replace those involved in our programme.¹²

4.3 Policy structures

According to experts interviewed both in V4 and EU countries, often the only environmental policy institution relevant for the process of accession to the EU are ministries of the environment and more specifically their departments of EU integration. The only exception is Hungary, where Orbán's government created a powerful prime minister's office that concentrates large competencies in the area of EU integration, including the environment. Departments of EU integration have a relatively short history and, to the scale of their task, inadequately small staffs.¹³ For instance, four years ago only one person at the Czech Ministry of the Environment worked on environmental integration with the EU. Young people with knowledge of foreign languages, who in some cases have a background in environmental NGOs activities, often staff these departments.¹⁴ Quite understandably, since their inception the activity of departments of EU integration has been limited to their countries' adaptation to EU environmental *acquis communautaire*. They have not developed an active policy agenda vis-a-vis the EU.

Slovak and Polish respondents described these departments as very small and closed institutions. Slovak and Polish environmental harmonization with the EU as a whole was characterized as lacking transparency:

We have personal connections to the minister (of the environment) and to documents if we really want. But it does not mean that we are officially consulted. It has never happened that

¹² Polish expert working in the field of sustainable development, interview 5 July 2000.

¹³ According to Wajda (2000), the Polish MoE is seriously understaffed with only some 300 staff members. In particular, there is a thorough lack of specialists on European integration.

¹⁴ This is reminiscent of Rinkevicius's (2000) observation of Lithuanian environmental activists' „multiple identity,,.

somebody from the Ministry would turn to us for an opinion or comment (on some aspect of Poland's environmental integration in the EU).¹⁵

The weak development of a domestic institutional base for EU environmental policy in V4 countries is evidence of the failure of central state authorities and also of the European Commission to use the process of accession as a stimulus for strengthening domestic policy structures. The GA&C (2000) report blames the Czech central state authorities for poor implementation of environmental *acquis communautaire* at the regional and local level. Von Homeyer (2001) emphasizes the Commission's overriding concern in the process of approximation with the formal requirements of transposing and legally implementing the environmental *acquis*, as well as the neglect of administrative reforms needed for effective implementation and enforcement on the ground. It is the latter changes that would most stimulate the development of domestic environmental policy institutions.

Given the weak position of ministries of the environment vis-à-vis other national ministries in V4 countries, it comes as little surprise that environment ministries often use the process of approximation as a power enhancing tool by which they seek "to outmanoeuvre rival ministries in a 'two-level' game" (von Homeyer 2001). Agh (1999) argues in a similar way when he maintains that "it is particularly true for Hungary that numerous interests are better represented in Brussels than in national capitals, first of all in the field of environmental protection. This may partly explain the rather uncritical acceptance of existing environmental *acquis* by environmental policy communities in V4 states."¹⁶

4.4 Small and closed expert communities

It seems likely that after their accession, the V4 countries' ability to participate in Brussels' environmental politics will be undermined by a lack of experts with an adequate educational background and experience. This risk is explained by three factors. The first is the educational structure of V4 societies, emphasizing technical and scientific disciplines, which was inherited from the socialist period and to which the 1990s transition process made almost no changes. It has serious consequences for the way in which the nature of environmental issues is understood by experts in V4 states:

The root of the problem lies in educational system. We lack people with an interdisciplinary background. We have specialists, but at the same time lack technically educated people and economists who would be concerned with the environment...I took part in a parliamentary

¹⁵ Polish expert working in the field of sustainable development, interview 5 July 2000.

¹⁶ See section 4.5 for more details.

debate between two officials from DG XI and (Polish) scientist, officials from the environment ministry and from the parliamentary committee for the environment. Questions asked by this audience were “small”, technical, very specific and detailed. Unimportant. DG XI officials had no problems to answer them, nobody pushed them in the corner.¹⁷

The second is the social and political elite’s ignoring of the environmental dimension of the approximation process in the 1990s. The third is the fact that EU assistance programmes aimed at strengthening V4 states’ environmental capacity also neglected this area. The recent efforts of the EU to enhance the environmental policy capacity of the candidate states through various assistance programmes¹⁸ are invariably aimed at the implementation capacity of the environmental acquis:

(A) lot of the capacity building is being done on implementation issues and this is not the same thing...To have experts that follow the national position...national experts that just follow their own agenda [are] not very useful...[and can be] sometimes obviously counterproductive.¹⁹

EU environmental policy communities²⁰ in V4 countries were described by respondents as small and closed groups of experts that developed on the basis of expertise applicable at the subnational or national level. This community is usually centred on a single personality with a strong influence on the way in which the discourse on EU environmental policy develops. Thus, it seems that for instance in Hungary and the Czech Republic only one school of thought on EU environmental policy exists. It is not likely that this situation will significantly change in a foreseeable future. At present, no institutions, whether research institutes, study and research programmes or think tanks of environmental policy exist in V4 countries. With the exception of Central European University in Budapest, universities offer no study programmes of environmental policy. Apart from the environmental component of a major Hungarian Academy of Sciences’ research project aimed at effects of EU integration on Hungary, no research programmes in V4 countries have been initiated. Existing environmental research institutes, such as those affiliated

¹⁷ Polish expert working in the field of sustainable development, interview 5 July 2000.

¹⁸ Critical assessment of these programmes can be found e.g. in Carius et al. (2000).

¹⁹ British government official, interview 9 January 2001.

²⁰ In this sense these EU environmental policy communities correspond with the concept of policy community characterized according to Marsh (1998) [in Falkner et al. (1999)] by a limited number of actors with some groups consciously excluded; very close and stable relationships between the actors; shared values and broad policy preferences; all actors have resources available so that their relations are characterized by exchange.

with the Czech Ministry of Environment, have an almost exclusively scientific and technical orientation.

4.5 Policy content

Environmental policy in V4 countries did not start from scratch in 1990. The system based on fees paid by polluters, national environmental quality standards and pollution permits was to various extents in place in V4 states by the 1980s. In the 1990s however, with few exceptions, all newly introduced domestic concepts and instruments were imported from the West. The majority of respondents believed that the environmental *acquis* meet the needs of their countries in terms of the most pressing environmental problems, in particular in areas of water and air pollution and waste management. Most of them also consider implementation of *acquis* by their countries as a major innovation in environmental policy. Horizontal legislation aimed at public participation and access to information is regarded to be of particular importance as a means of opening up the political system to a wider spectrum of actors. There are only few areas regarded to be more developed in the candidate states than in the EU, e.g. the system of nature protection, land use planning and the SEIA procedure.

By the mid-1990s Caddy (1997) noticed that the majority of CEECs' policy-makers rejected wholesale the idea that the policy experience of their countries should be considered within the framework of the EU — CEECs policy dialogue. The interviews confirmed little demand for domestic indigenous approaches to environmental policy or for alternatives to the imported EU concepts. In fact, most respondents see the EU environmental policy in its present form as an optimal model. Respondents were aware of some environmentally positive practices of V4 countries such as lower production of household waste per capita, recycling, wider use of public transport and in some cases less intensive forms of agriculture. These positive features were inherited from the socialist period. As such they have negative connotations both for the society at large and most decision-makers. Respondents were not aware of any domestic efforts aimed at their conservation or even expansion. Furthermore, these features do not correspond with the traditional perception of environmental issues as industrial pollution endangering human health that can be relatively easily resolved by clean-up programmes. As a consequence, these practices have been marginalized and replaced by western imports that are usually environmentally less beneficial.²¹

²¹ A particularly convincing analysis of the dismantling of socialist period's waste management system in terms of the control of the flow of materials in the economy and its replacement by the new system that lacks the component of waste prevention is provided by Gille (2000).

However, international actors shaping the development of environmental policy in the region have also neglected these features. Sometimes the consequences of their involvement in V4 countries have even worked against them, such as EU support for building road infrastructure.

5. VISEGRAD COUNTRIES' ENVIRONMENTAL STRATEGIES AT THE INTERNATIONAL LEVEL

5.1 From agenda-setting to EU-dependence

Despite the neglect of the international dimension of environmental policy during the socialist period, V4 countries developed at the beginning of the 1990s a relatively ambitious foreign environmental policy agenda, both at the European and global level. This was a remarkable break with the local — or national-scale perception of environmental issues during the socialist period:

(At the beginning of the 1990s) we realized how little we knew about global environmental issues, which we simply did not discuss during the socialist period, as until the end of the communist regime we were more interested in environmental issues at the local or national level.²²

As Slocock (1999: 155) points out, the initiative that led to the Dobris Process — or the “Environment for Europe Process” that from 1991 provided the strategic framework for environmental policy development in the CEE region — came from within the region itself. It was the then Czechoslovak federal minister of the environment Josef Vavrousek who convened the first meeting of environment ministers from west and east European countries at Dobris castle near Prague. V4 countries’ activity in global environmental politics, initially relatively strong, came to an end with the ratification of the global conventions. Slovakia organized a conference of parties from the UN Biodiversity Convention, but otherwise after the signing of Association Agreements with the EU (between 1991 and 1996), the focus of V4 countries’ international strategies shifted exclusively to the passive harmonization with the EU. In all four V4 countries this passivity is further underlined by the absence of government documents on goals and strategies for the post-accession period. The exclusive focus on the fulfilment of EU requirements led to the abandonment of other spheres of international environmental politics:

²² Czech government official, interview 13 April 2000.

I estimate that 95 per cent of the Czech Republic's activity in foreign environmental politics is oriented to the EU, the remaining five per cent covers all the rest, including UNEP and UN conventions.²³

It is an irony then that even in Dobris Process V4 states are now merely passive participants as described by a British government official:

(T)o a certain extent CEECs are quite happy to echo a western European view or support ideas that are proposed... they are not particularly coming forward with their own agenda. But there's a bit of a problem in the Environment for Europe process which is meant to be a pan-European, west-east co-operation, but not enough of the initiative comes from the east and they don't seem to set enough of the agenda as to what it is that they need.²⁴

Since the mid-1990s V4 states' approach to global environmental regimes, most importantly to the climate change regime, became fully dependent on the position of the EU. V4 countries do not have defined goals for their activities in the field of foreign environmental policy other than the membership in the EU. For instance, the Czech Ministry of the Environment (MoE) has an annual plan of actions at the international level, but it resembles a list of forthcoming events rather than a programmatic document setting out short-, mid- and long-term goals. Hungarian and Slovak respondents in particular emphasized that in areas of policy unrelated to the EU approximation, it is the personality and field of expertise of ministers of the environment, which defines the country's activity at the international level. However, the environmental diplomacy of V4 countries cannot rely on a network of research institutions or think tanks specializing in environmental policy and is dependent on several individuals:

There are occasional individual personalities (in CEEC) who do have an influence in other international conventions, climate change, and sustainable development...for example Moldan...but that is not the same as having a clearly defined foreign environmental policy...that is just the case of an individual who is having an effect in some forums or others...²⁵

The only example of domestic interests that may be indicative of V4 countries' future behaviour in the process of EU accession was detected in an interview with a European Commission official:

²³ Czech government official, interview 6 January 2000.

²⁴ British government official, interview 9 January 2001.

²⁵ British government official, interview 9 January 2001.

Sometimes we get the impression, particularly for Poland and the Czech Republic, that they have got their national policies and they feel that their state of the environment can improve just using national policies and they do not see the need to adopt the Community legislation.²⁶

In the Czech case, this is undoubtedly related to the completion of the programme of reduction of SO₂ emissions' from large combustion plants by 95 per cent by means of classic end-of-pipe solution (flue gas desulphurization) in 1998. This result is perceived by the politicians and increasingly also by segments of the Czech environmental policy community as proof of the success of environmental reform of the post-socialist period.

5.2 Lack of co-ordination among V4 countries and emerging differences

V4 countries inherited from the old regime pollution-related environmental problems that were the consequences of socialist industrialization. Initially, after 1989 these countries were confronted with the urgent need to clean up air and water pollution and land contamination that posed risks to human health. However, common problems, history and the goal of EU membership did not prompt V4 countries to any systematic co-operation in the area of environmental approximation with the EU.²⁷ The little degree of mutual information about the process of harmonization within the V4 group and little contact among their experts are striking.²⁸

With the growing distance from the fall of the socialist system and with certain successes of clean-up programmes, it seems that previous common features are becoming less important as a more diverse array of environmental problems emerge. An example is the different attitude to nuclear energy between the Czech Republic and Slovakia on the one hand, and Hungary and Poland on the other. Another example is Hungary's preference for framing environmental problems mainly as water-related issues for which the optimal unit of solution is the Danube basin. Several western experts have also noticed a certain degree of rivalry among CEE countries during the approximation process:

²⁶ DG Environment official, interview January 2001.

²⁷ An exception to this rule is the exchange of translated EU legislation between the Slovak and Czech governments. The language proximity enabled them to use translation in the other language as working copies and thus save time.

²⁸ This is only a general observation to which there are important exceptions. For instance, Slovak experts are quite well acquainted with development in the Czech Republic. It also seems that in the early 1990s contacts and cooperation were more intensive than in the later years of the decade. On the other hand, environmental cooperation between Slovakia (until 1992 Czechoslovakia) and Hungary has been hampered by the Gabčíkovo controversy.

If you listen to the people in these (CEE) countries then they will take up specialist national interests but the common features are much stronger than these day-to-day political concerns.²⁹

There is certainly an atmosphere of competition. We are faster than you, we have managed to get this chapter closed before you...³⁰

6. EXPECTATIONS ABOUT THE FUTURE IMPACT OF V4 COUNTRIES ON EU ENVIRONMENTAL POLICY

6.1 Imported policy content

In the opinion of the interviewed experts from V4 states, the ideal environmental policy of the EU in the future should further build on its current trends. The ultimate goal of enlarged EU environmental policy should be sustainable development. The key mechanism for achieving this goal is integration of environmental and other public policies. The area in which this is most urgently felt is the interface between the environment and transport. EIA and in particular SEIA are perceived as the most promising means of effective integration. Rather than command and control type of legislation, the preferred type of policy relies on new policy instruments including market-based instruments such as green taxes and horizontal legislation such as access to information and participation of civil society and economic actors.

As Knill and Lenschow (2000: 342) argue, new policy instruments assume a certain level of societal responsiveness and organizational mobilization (supported by an appropriate resource level). Given the deeply unfavourable context for such type of policy in V4 states, such as an unfavourable traditional policy style and an underdeveloped civil society, the unreserved acceptance of “new environmental governance” by V4 states’ experts may seem striking. I believe that this can be explained by two factors that have been reinforcing each other during the 1990s. The first is the connotation of concepts such as flexibility, access to information and market-based instruments as a symbolic break with the socialist system model of administrative environmental regulation that proved ineffective.³¹ The second is the power of western management of environmental transition in V4 states as a

²⁹ Member of the European Parliament, interview 19 December 2000.

³⁰ Official at WWF European Policy Office, interview 8 February 2001.

³¹ In fact, the main reason for its ineffectiveness was low enforcement of otherwise rather strict standards.

source of environmental policy innovation that is perceived as the “only alternative”.

Findings from the document “Applicant Countries’ Contribution to the 6th Environmental Action Programme” (REC 2000) corresponded with the views of our interviewed experts. First, REC (2000) advocates several key concepts for an enlarged EU: the principle of subsidiarity, adaptable policy making, framework legislation and stakeholder involvement. They are believed to be an adequate response to an expected diversity of environmental problems. Despite this emphasis on flexible style of policy, the document does not seem to confirm fears of renationalization of EU environmental policy (von Homeyer at al. 2000) resulting from eastern enlargement. It is the flexibility at the regional or subnational level rather than at the national level, which the document sees as crucial for effective implementation of EU legislation. Second, apparently without taking stock of the patent failure to take advantage of environmentally favourable features of CEECs during the last decade, the experts believe that the applicant states’ accession to the EU offers an opportunity to enhance sectoral integration. This should be achieved in particular through a broader use of SEIA and awareness raising campaigns about the benefits of sectoral integration targeting the general public and decision-makers. Third, the strengthening of the effectivity of current legislation should be given priority over the development of new legislation. Particular attention should be paid to the strengthening of institutions in CEECs. Fourth, the experts who contributed to REC (2000) believe that actions at the local level, such as better planning and local action plans are the key policy concepts that will lead to embarking on the path of sustainable development.

According to the experts interviewed for this paper, possible policy contributions the V4 countries may offer to EU environmental policy are primarily seen in the management of protected areas and land use planning. Some respondents expressed an idea that the experience of harmonization with costly EU environmental directives may give rise to alternative, less expensive, but still environmentally effective approaches. However, these ideas did not go beyond general proposals, as the experts were not able to specify strategies and mechanisms by which they could be developed and promoted by V4 countries with the prospect of future EU-wide application.

The same holds true for some of the environmentally positive features in V4 countries. Theoretically, all these features can become stimuli for innovations of EU environmental policy. Furthermore, these environmentally beneficial features of V4 societies could be best preserved and expanded by the application of the integration principle. However, despite being strong

advocates of this principle, none of the interviewed experts had an idea how these positive features of V4 countries could be transformed in policy proposals applicable the EU level. Instead, the experts tend to rely on the Commission's initiative.

The most notable feature of the experts' views detected both in REC (2000) and in the interviews conducted for my two projects is the absence of original and politically innovative proposals. For example, it is difficult to think of an element of the 6EAP that would not appear without the applicant states' contribution. All CEE expert's proposals are long-term western ideas. Occasional calls for low-cost solutions and cheaper approaches are not accompanied by more specific suggestions as to what these might be.

6.2 Reactive policy style

Most respondents do not expect the active and innovative participation of V4 countries in the development of future environmental policy of the EU. There is clearly an absence of ambition concerning the post-accession period. Exhaustion from the demanding pre-accession harmonization was offered as the main reason. Other possible explanations related to a lack of experience and will:

The barrier is little knowledge of environmental policy. In Hungary nobody expects Hungary to be capable of doing something important on its own.³²

I am afraid that in fact at the beginning we cannot be very active. In the first years it would be appropriate if we try to learn and understand what is going on.³³

Among other reasons for the expected passivity were the overriding priority ascribed to the economic growth, a political culture that functions as a barrier for effective environmental integration and the ability of old industries to pursue their vested interests, often with negative environmental consequences, due to their proximity to government.

6.3 Ideas on future alliance politics

Interviews also addressed the theme of V4 states' future alliance politics and revealed a fundamental discrepancy between the expectations of western commentators and the views of the V4 countries' experts. First, contrary to these western observers' opinions, and also apparently contrary to the

³² Hungarian environmental policy consultant, interview 28 June 2000.

³³ Czech university professor, interview 14 February 2000.

expectations of some south European politicians,³⁴ V4 countries' experts unanimously ruled out the possibility of co-operation between the new EU members and south European EU countries in the Council of Environmental Ministers. Second, despite the declared similarities and shared interests among V4 countries, the experts did not reckon with any co-ordination among them in the post-accession period. Third, as a general rule, the respondents did not expect a stable pattern of voting behaviour of V4 countries in the Council of Ministers. In their view, individual V4 countries will behave in an *ad hoc* manner depending on temporal opportunities and interests rather than on a prepared systematic strategy.

The low level of attraction offered by the south European countries as allies was explained by their negligible involvement in CEE transformation, including its economic and environmental dimension as well as by little past contact between these two groups of countries. Instead, if any discernible alliance pattern occurs, the respondents expect that in the field of the environment V4 countries would be in general oriented to EU north-western (e.g. the Netherlands and Denmark) and primarily to neighbouring (Germany and Austria) countries. This expectation stemmed from the cultural and geographical proximity, from the intensity of current economic relations and also from the most active environmental assistance of these countries in the V4 group. Throughout the 1990s it was the Dutch and Danish styles and concepts of environmental policy that have to a great extent influenced environmental policy discourse in V4 countries.

7. DISCUSSION AND CONCLUSIONS

It will take several more years before some countries of the V4 group are allowed to join the EU. However, with the approaching closure of accession negotiations in the field of the environment, a new phase of interaction between the EU and the V4 in this area is about to begin. In this new phase the strong leverage which the EU had on the candidate states (hierarchical imposition) will be gradually replaced by a new arrangement in which the applicants will have more space for pursuing their own interests and priorities. Hence it is high time to search for these interests and priorities that may shape V4 states' approach to EU environmental policy in the future. For several reasons this is a complicated inquiry.

³⁴ For example, according to Vinas (2000), Spanish governments officials consider that Poland and Hungary will be close to Spanish positions in fields such as the single market, the environment and social policy.

First, articulation of many domestic interests has been suppressed by the one-way logic of the approximation process. This holds true in particular for the environment. Second, the future-oriented perspective inevitably renders the findings at least partly speculative. Third, a serious obstacle is the lack of an appropriate theoretical framework for such an inquiry. Integration theory has focused on describing and explaining integration processes from the top-down perspective focusing on the role of supranational actors. On the other hand, the role of the policies, interests and actions of its most important actors, the nation-states, has been neglected.

Thus the existing accounts of eastern enlargement's impact on EU environmental policy adopt the top-down perspective, rely mostly on EU-related variables and assume that the current mode of asymmetrical relations will be essentially maintained in the future. They invariably arrive at the conclusion that eastern enlargement will lead to a slowdown or even a reversal of EU environmental policy. These studies neglect the applicant states' perspective, their domestic variables, interests and priorities that may be relevant for their influence at the EU level. Following the approach of Andersen and Liefferink (1997) to the analysis of individual states' influence on EU environmental policy, this paper's purpose was to extend the scope of inquiry about eastern enlargement's impact on EU policy by adding the applicant states' perspective and thus to examine whether this extension may lead to potential changes in conclusions of the existing studies.

Environmental political mobilisation and protest in V4 countries played a significant part in the 1989 overthrow of the socialist system. The pro-environmental spirit of east European revolutions spilled over to the immediate post-1989 period, which became an era of an enthusiastic building of environmental policy institutions. However, this "environmental dividend" of the post-1989 mobilisation lasted only during the term of office of the first generation of post-socialist policy-makers. After their departure from government posts, other domestic actors of environmental policy were not sufficiently powerful to maintain the momentum gained in the wake of 1989.

This vacuum opened an opportunity for western institutions to influence the management of the transition process in the field of the environment. Western environmental policy concepts were at the beginning imported to CEECs in the framework of the Dobris Process that was initiated from within the CEE region by the then Czechoslovakia. Later, after concluding association agreements with the EU, the process of V4 countries' harmonisation took the form of "hierarchical imposition" of EU requirements which has become the dominant framework for the development of their domestic environmental policy. As a consequence, the preferred environmental policy content in V4

countries corresponds with the current trend in the EU towards flexibility, economic instruments, public participation and environmental integration.

The main domestic actors of this process are seriously understaffed departments of EU integration under environment ministries. Their activity is limited to administering the process of harmonisation. A pro-active strategy aimed at the identification or development of original concepts of environmental policy is missing. This is partly due to the small size of the research community of environmental policy.

At the beginning of the 1990s, V4 countries took an active part in global environmental initiatives and in the pan-European Dobris process. After association agreements this pro-active approach to foreign environmental policy was replaced by a narrower focus on the EU and adoption of the environmental *acquis*. These are now perceived as the maximal requirements. Furthermore, V4 countries have never attempted to include some of their environmentally positive features in the framework of the EU — V4 policy dialogue.

It can be concluded that due to the weak domestic base of environmental policy it is highly unlikely that V4 states would be capable of adopting a pro-active approach to environmental policy-making at the EU level when they become full members. Western management of the development of their environmental policy in the 1990s has been successful in terms of establishing EU environmental policy as the ultimate model. Therefore no major changes to this model that would be based on V4 states' domestic experience are required by environmental policy communities in these countries. The conditions of asymmetrical relations in which the transfer of the EU policy model took place reduced the scope of policy considerations to the national level. The strengthening of their environmental capacity facilitated by various EU assistance programmes has centred at policy implementation at the domestic level, not at V4 states' enhanced capacity to influence the EU. It is in line with another finding that V4 states have not co-ordinated and are not likely to co-ordinate their strategies either among themselves or with the laggards. It was the pioneers who have been most active in transferring environmental know-how to V4 states and have made environmental policy discourse in V4 countries compatible with their models of policy.

Overall then, this paper's findings suggest that straightforward expectations about V4 states joining the current group of laggards and thus putting a brake on the future development of EU environmental policy may be premature and should be qualified. However, too many unknown variables and as yet unarticulated interests render any such conclusions extremely tentative. In

light of the current findings, it seems that there is only one possible scenario in which a V4 country can take a pro-active approach. Given that the approximation process has failed to strengthen environmental integration in the applicant states, that environment ministries are used to playing the EU card to enhance their influence at the domestic table, and that there is a history of environment ministers taking unexpectedly progressive steps, it cannot be ruled out that in a particular area of policy an individual V4 country may try to export its domestic concepts to the European level. This can happen when the post of the minister of the environment is occupied by a charismatic person promoting an environmental goal that does not contradict other, more important, priorities of a given country.

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