



This is a repository copy of *Environmental governance in Croatia and Macedonia: institutional creation and evolution*.

White Rose Research Online URL for this paper:
<http://eprints.whiterose.ac.uk/83475/>

Version: Accepted Version

Article:

Taylor, A.J. (2015) Environmental governance in Croatia and Macedonia: institutional creation and evolution. *Environment & Planning C: Government & Policy*. ISSN 0263-774X

<https://doi.org/10.1177/0263774X15605924>

Reuse

Unless indicated otherwise, fulltext items are protected by copyright with all rights reserved. The copyright exception in section 29 of the Copyright, Designs and Patents Act 1988 allows the making of a single copy solely for the purpose of non-commercial research or private study within the limits of fair dealing. The publisher or other rights-holder may allow further reproduction and re-use of this version - refer to the White Rose Research Online record for this item. Where records identify the publisher as the copyright holder, users can verify any specific terms of use on the publisher's website.

Takedown

If you consider content in White Rose Research Online to be in breach of UK law, please notify us by emailing eprints@whiterose.ac.uk including the URL of the record and the reason for the withdrawal request.



eprints@whiterose.ac.uk
<https://eprints.whiterose.ac.uk/>

ENVIRONMENTAL GOVERNANCE IN CROATIA AND MACEDONIA: INSTITUTIONAL CREATION AND EVOLUTION

Introduction*

This paper takes an explicitly historical focus. It considers the EU's impact on the foundation and initial development of new modes of environmental governance in Croatia and Macedonia. A core assumption is that we cannot understand current and future developments without understanding their foundations. Creating an environmental governance acceptable to the EU called for radical change in governance and the development of new capacities and capabilities in government and civil society. This was a substantial governance load and it is important to understand how states created the institutions to deal with this load.

An explicit objective of the original project on which this paper is based was to explore the EU's transformative power in polities where the gap between what the EU required and what existed was wide and where, because of enlargement, a major power asymmetry existed. Enlargement necessarily promotes hierarchy (authoritative decisions by national authorities who are also responsible for implementation) because accession requires capable states able to transpose *acquis* and disburse effectively EU funds to projects and ensure their implementation. However, statehood in the Western Balkans is recognised as having serious weaknesses that impact on the process of European integration (Börzel 2013: 177-183). The participation of non-state actors can slow this process and even be seen as obstructive and, moreover, they frequently lack the capacities and capabilities to engage in policy formation and implementation. Prima facie, then, there seems to be little reason to include non-state actors. However, the EU aspires to promote partnership working in

* This paper draws on research funded by ESRC grant RES-062-23-0183 Multi-Level Governance in South-East Europe: Institutional Innovation and Adaptation in Croatia, Greece, FYR of Macedonia, and Slovenia.

networks involving central and sub-national governments, civil society, and the wider public; moreover, environment policy requires extensive involvement by a wide range of public and private bodies. Two factors favour of inclusion: first, the EU regards the involvement of non-state actors (and therefore the creation of networks) as good in itself and, second, because environmental policy is technically complex and politically sensitive their involvement will improve the the content, implementation and legitimacy of policy. So despite the emphasis in enlargement on hierarchy, networks develop as a result of the dynamics of environmental policy and because of a preference on how governance should be conducted. It is not a question of either hierarchy or networks but the balance between them, so what is the relationship between hierarchy and networks in states with weak civil society and a legacy of centralised government?

The paper considers, first, the reasons for selecting Croatia and Macedonia (both were seeking EU membership but were at different stages) and examines the utility of Social Network Analysis (SNA) in exploring the scope and intensity of actor interaction in a specific policy area. SNA is also valuable because it offers a methodology for exploring the separate but interconnected processes of institutional creation and evolution, and the creation of environmental governance. The subsequent two sections examine this process in the two case countries. Whilst both Croatia and Macedonia are responding to the same external pressures – the transposition and implementation of the EU’s environmental directives – national contexts vary. Particularly relevant here is the tension between the demands of enlargement and creating environmental governance, which inevitably elevates the centre, and especially the environment ministry, and the political, legal and technical complexities of environmental policy that stresses the involvement and engagement of civil society, in societies with strong centralist traditions and weak civil societies. This paper shows how transposing EU environmental policy leads to the creation of policy networks (whose complexity increases over time as policy evolves) by the exercise of state power. The EU lays down the specifics of policy (the *acquis communautaire*) and transposition requires a state with the capabilities and capacities to achieve policy objectives using specialist networks of actors influenced by national conditions. The paper

explores how two candidate countries responded to the same process, which produce both hierarchy and network and shows that there is no contradiction between hierarchy and network.

Case Selection and Methodology

Conceptually the paper is located in the broad field of Europeanization (defined as ‘the domestic adaptation to European integration’ Vink and Graziano 2007: 7) with enlargement as the vehicle for Europeanization (For example, Schimmelfennig and Sedelmeier 2005; Vachudova 2005; Grabbe 2006; and Schimmelfennig 2008), and environmental governance in Croatia and Macedonia is seen as the result of these processes. The paper employs a top-down perspective, which emphasises the necessity for downwards pressure for Europeanization to take place, which is manifested in the enlargement process. However, ‘misfit’ (Börzel 2002) by itself cannot explain Europeanisation entirely, hence the paper’s focus on domestic actors and their response to the EU’s pressure for adaptation. The *acquis* raise specific, sectorally focussed problems of adaptation that have functional, political and administrative dimensions in which the national state plays a critical role in addressing misfit and closing the gap between the EU and the domestic, and bridging the gap between formal compliance and full implementation. As capacities and capabilities are likely to be strongest at the centre, the centre will inevitably play an important role in extending these capacities and capabilities sub-nationally and into civil society (See, for example, Mungiu-Pippidi 2010; Cohen and Lampe 2011; Trauner 2011; Noutcheva 2012; Bieber 2013; and Elbasani 2013). Given the scale of the misfit between the EU and domestic environmental policy, the complexity of environmental policy, and the absence of appropriate capacities we would expect the centre to play a leading role creating environmental policy networks. Engagement with the EU via enlargement not only promotes Europeanisation but it has a tendency to reinforce the centre; in polities with a history of centralised governance, where the Commission is seeking to create capable states, we would expect to see a concentration of power at the centre of the environmental policy network.

Croatia was selected because at the time of the research it was approaching the final stages of the accession process (it acceded to the EU in July 2013) and had demonstrated an ability to achieve an acceptable level of transposition and compliance. Macedonia, part of the same process, remained a considerable distance from achieving an acceptable level of transposition and compliance, partly because it was a less capable state than Croatia. As former republics of Yugoslavia both enjoyed a historical legacy of state centralisation and underdeveloped civil societies, although Croatia was seen as more developed in both respects. Both were under great downwards pressure to adapt and create the capacities and capabilities needed to satisfy the requirements of membership. However, these states were subject to another pressure. The EU aspires to open up policy making to civil society and Member States are expected to promote openness, participation, accountability, effectiveness and coherence in governance, which are more likely to be achieved through networks (CEC 2001a, 18). So the key questions in relation to environmental governance are, first, what is the centre's role in responding to downward pressure from the EU; and second, what is the resulting balance between hierarchy and network?

To examine institutional creation and development the project employed Social Network Analysis (SNA). A social network is a set of organisations connected by relationships designed (or intended) to achieve policy objectives through the exchange of resources (Taylor, Geddes and Lees 2012: 26-29). Network is frequently used as a metaphor for complexity but SNA shifts the focus from the organisations involved to the nature of the links between organisations, so rather than treat organisations as the unit of analysis SNA concentrates on how the structure of ties affects outcomes, moving away from a 'black-box' approach to the policy process (For example, Dowding 1995). SNA is used to visualise and map networks and estimate how and with what intensity participants interact; the data used in this paper is from twenty in-depth semi-structured interviews with, for example, civil servants and civil-society actors, supplemented by interviews with Commission officials in Brussels. Interviewees in Croatia and Macedonia also completed detailed questionnaires identifying the organisations with which they interacted, the nature of these interactions, and their intensity.

Interviewees were also asked to explain how in their view the intensity and scope of interaction had changed over the previous decade, the source(s) of that change, and who were the most influential participants and whether these had changed over time.

Using UCINET/Netdraw (<http://analytitech/ucinet>) the questionnaire responses were coded to generate network maps (Figures 1 and 2) in order to estimate the scope and intensity of interaction. SNA help us understand interaction from the actors' perspective and indicates which actors are perceived to play a critical role in determining outcomes (Wasserman and Faust 1994; Breiger 2004; Brandes and Erlebach 2005; Carrington et al. 2005). When using SNA to map a network we must be careful not to assume too much from its physical shape. It is easy to assume that a large, complex map with many participants indicates a diffuse power structure and pluralistic politics; equally smaller, tighter networks do not necessarily indicate an oligarchical, power structure because the ties between the actors could be weak and sporadic. Central to the interview schedule was the assessment of reputation; asking interviewees who they considered to be the most influential and with whom their organisation interacted most frequently (Polsby 1980: 144-5). Coupling interview data and SNA facilitates the analysis of power and influence flowing from network relationships and how the network responds to pressure for change from inside and outside the network. The resulting networks maps were triangulated against other sources, notably the interviews with participants and through extensive analysis of primary documents and secondary material. No attempt was made at achieving complete coverage because of time and resource constraints but also because of the 'reputational' method (asking interviewees who they considered to be influential) used in the interviews. Interviewees were not specifically asked about European integration to avoid over-emphasising the EU as a driver of change and crowding out other relevant actors. Where no other interviewee subsequently mentioned an actor, that actor was excluded, to avoid long lists of participants. We sought to distinguish how actors perceived the influence (or lack of influence) of the EU on their activities and so the questionnaire distinguished between 'strategic' interaction and day-to-day interaction at the level of projects. This produced a very interesting

result. The EU may not be a visible participant in a network's routine operation but actors nonetheless perceive it to be an influential, even a determining influence, on the network and this starts with the creation of the network.

Emerging environmental governance in Croatia

The Commission initially assessed Croatia's environmental provisions as 'totally incompatible' with the EU's, the only chapter so described. Full compliance required 'a sustained high level of investment and considerable administrative effort [that] could only be achieved in the long term' (CEC 2005a, 103-04). Compliance clearly required heavy investment in hierarchy but only once during accession did an annual Progress Report record full transposition of an environmental *acquis* (noise in 2001).

The Stabilisation and Association Agreement (SAA) between Croatia and the EU was signed in October 2001, ratified by EU member states in 2004, and Croatia was granted full candidate status in June 2004, joining the EU in July 2013. In this process environmental issues assumed considerable practical and symbolic importance as the environmental *acquis* were complex and were major indicator of a country's willingness and ability to fulfil the EU's requirements (Vlašić and Feketić 2006). The Commission Opinion on Croatia noted serious weaknesses in environmental governance, including the development of horizontal legislation, undertaking environment impact assessments, and public participation. The Commission emphasised the need for strengthened administrative capacity at the national and regional levels to ensure effective policy making and implementation, including the preparation of financial strategies, the strengthening of regional and national inspectorates to enforce environmental legislation, and adopting and implementing a comprehensive national waste management plan (CEC 2001b). The Accession Partnership Agreement (OJ 2006: 37), which sought the mainstreaming of environmental policy by integrating environmental protection requirements into other sectoral policies, represented a fundamental transformation of policy. The Agreement also identified the need to develop an environmental

investment strategy, speeding up the transposition of the environmental *acquis* (especially in the fields of waste management, air quality, water quality, nature protection, and integrated pollution prevention and control), investing in environment infrastructure, and ratifying the Kyoto protocol. This represented a significant and complex governance project for Croatia.

Substantial change resulted from this downwards pressure. Croatia established a National Environmental Information System (NEIS) as part of the *acquis* compliance process and the data gathered indicated the need for widespread improvements in environmental performance. The immediate priorities were resolving waste management problems and the continued harmonization of domestic legislation with the *acquis*. At the time of our field-work, this progress was recognised by environmentalists: 'significant progress is evidenced in the drafting and adoption of legislation, and in the development of national environmental institutions. Also, most of the relevant international agreements have been ratified and there are clear indicators of the integration of environmental and sustainable development objectives in other sectors' (Interview. Heinrich Böll Foundation, 19 December 2007). This indicated the creation of environmental governance response to EU pressure but what institutions underpinned this governance and how did these institutions interact?

The key institutional actor was the Ministry of Environmental Protection, Physical Planning and Construction established in 2004 by merging of the State Directorate for the Protection of Nature and the Environment and elements of the Ministry of Physical Planning, Construction and Housing, which had been concerned primarily with physical planning and construction rather than environmental protection. This reorganisation was in direct response to the requirements of EU policy. The largest and most important directorate was and remains the Directorate for Environmental Management. Beyond the environment ministry, the Ministry of Culture had responsibility for Nature Protection, through its Nature Protection Directorate and the State Institute for Nature Protection (2002), whilst responsibility for Water Management lay with the

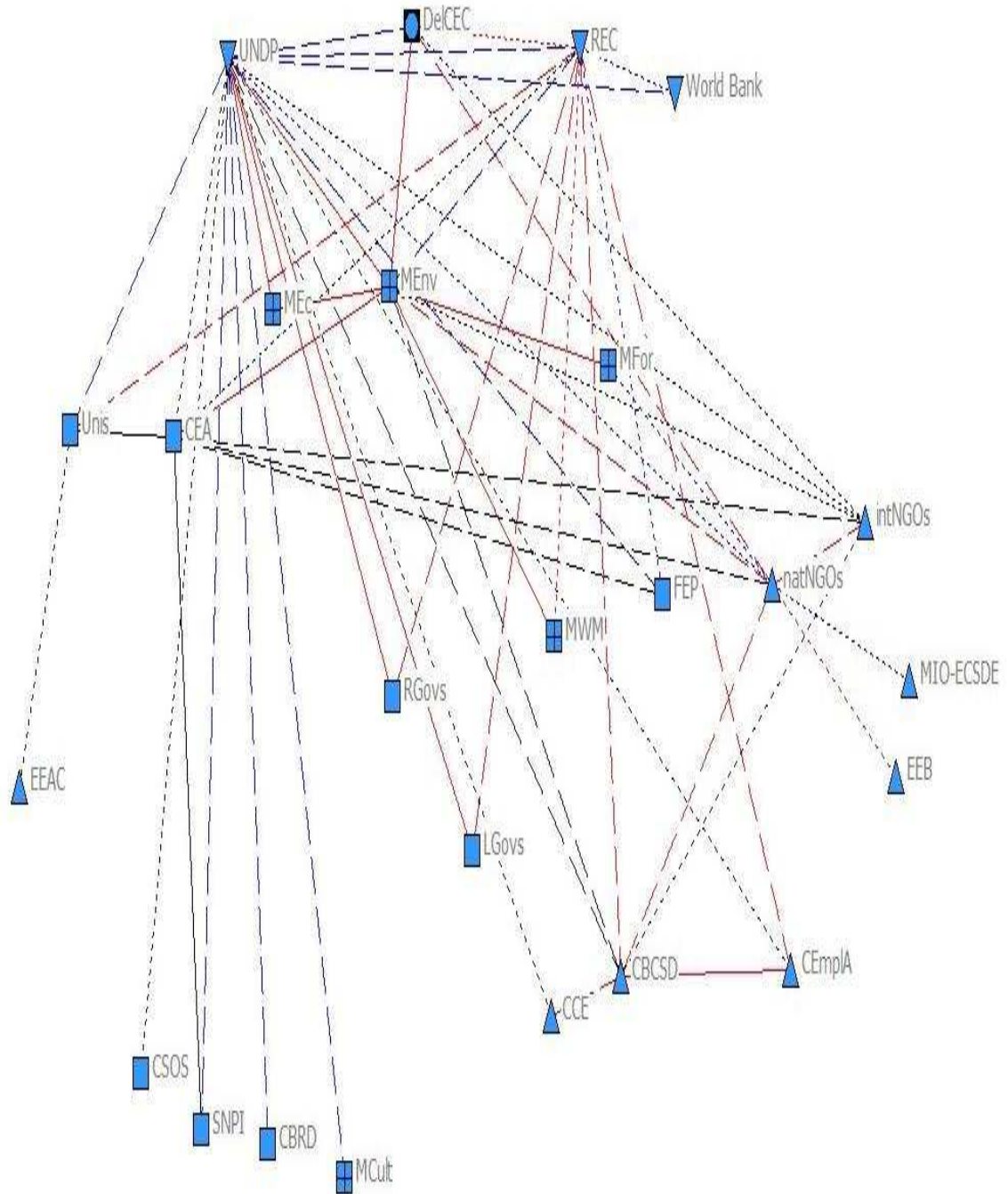
Ministry of Agriculture, Forestry and Water Management, the Ministry of Health and Social Welfare and the Ministry of Economy, Labour and Entrepreneurship as well as Croatian Waters (Hrvatske Vode), a government agency responsible for the water resource management. Coastal waters were the responsibility of the Ministry of Sea, Transport and Infrastructure. Drafting legislation was mainly undertaken by the Committee on Physical Planning and Environmental Protection in the Croatian Parliament, which defined strategic priorities for environmental protection and was therefore a key target for lobbying by societal interests. Co-ordination and interest aggregation issues, especially between economic and environmental actors, was taken to the Sustainable Development and Environmental Protection Council. Two arms-length institutions operated at the national level: the Croatian Environmental Agency (CEA) and the Environmental Protection and Energy Efficiency Fund (Environmental Fund). These were modelled on the US or German template and were established by the National Environmental Action Plan (2002) and reflected moves towards institutional strengthening. The CEA was a direct result of the signing of the SAA, in which Article 81 of the Implementation Plan for the SAA envisaged establishing the Agency by the end of 2002, and Article 103 had stipulated the creation of an Environment Information System (CEC 2001b). The Environmental Fund was established in 2004 by the Ministry of Environment and the Ministry of Economics in consultation with the Energy Institute, to support projects and activities in environment protection, energy efficiency and renewable energy. It was intended to be the main conduit for the administration of the IPA funds in the field of environmental protection. External help was crucial and the government, supported by various donors, undertook training and capacity building at all levels, but especially sub-nationally, to meet EU requirements (DEC 2004).

EU project funds invariably involved working with organisations from EU member states, For instance EU aid, *via* a Netherlands consultancy, provided help to transpose the 2001 Environmental Assessment of Development Strategies (SEAS) directive that required regional and local governments undertake assessments involving stakeholders, civil society, and the public as well creating institutions and administrative capacities (DEC 2003). These projects were important for

both capacity building and social learning. The 20 regional counties (plus Zagreb city) and 429 local municipalities played a role in the governance of environmental policy. At the time of fieldwork Croatia had adopted 30 LEAPs and in addition to LEAPs, the government cooperated with different donor organizations to deliver training and build capacity at the sub-national level in order to meet EU standards and requirements and ensure that local municipalities would be able to comply with EU policies. The EU was therefore critical in creating institutions; we must now consider how these institutions interact.

Figure 1 reveals a visually complex, indeed fragmented, network but one that remained strongly hierarchical in its operations in both the 'vertical' (for example, between the environment ministry and sub-national governments), and 'horizontal', between ministries or societal interests (for example, between the Croatian Business Council for Sustainable Development and the Croatian Employers Association). The network spanned all spheres of governance, with links to the international or regional level (through, for example, the UNDP, the World Bank, or REC) linking to the sub-national administrative levels, as well as the environmental NGOs. The core network was defined by a small number of strategic linkages, based on resource dependency or common socio-economic interests but beyond the core was an outer group of participants with little sustained purchase on the core network, which was dominated by the environment ministry and whose dominance was reinforced by low levels of interaction outside the core.

Figure 1 The environment network: Croatia



Key to figure 1

Organisation	SNA abbreviation
Ministry of Environment	MEnv
Ministry of Economy	MEc
Ministry of Culture	MCult
State Nature Protection Institute	SNPI
Fund for Environment Protection and Energy Efficiency	FEP
Croatian Environment Agency	CEA
Central State Office for Strategy	CSOS
Croatian Bank for Reconstruction and Development	CBRD
European Commission Delegation Croatia	DeICEC
Regional and local governments	RLGovs
Croatian Business Council for Sustainable Development	CBCSD
Faculties	Unis
World Bank	World Bank
Regional Environment Centre	REC
UNDP	UNDP
national NGOs	natNGOs

international NGOs	intNGOs
Ministry of Forestry	MFor
Ministry of Water Management	MWM
Croatian Employers' Association	CEmplA
Croatian Chamber of Economy	CCE
European Environmental Advisory Councils	EEAC
European Environmental Bureau	EEB
United Nations industrial development organisation	UNIDO
United Nations Environmental Programme	UNEP
Mediterranean Information Office for Environment, Culture and Sustainable Development	MIO-ECSDE

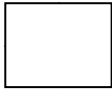
.....

Occasional business relations/ work contacts

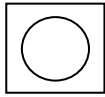
Regular contacts, often in relation to specific projects

—————

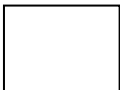
Permanent and strategic relationship



Central ministries



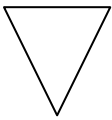
EU actors



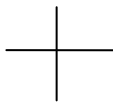
Para-government agencies



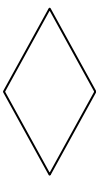
Non-governmental organisations



International organisations



Member State agencies



Non-member state agencies

There were important links between the UNDP and both regional and local tiers of government (RGovs and LGovs), as well as between the European Commission Delegation to Croatia (DelCEC) and the environment ministry (MEnv). The environment ministry (not surprisingly) had strong ties with the Croatian Environmental Agency (CEA), which in turn had strong links to the universities (Unis) and to the State Nature Protection Institute (SNPI). The environment ministry was linked to the Ministry of Economy, Labour and Entrepreneurship (MEc) and the Ministry of Foreign Affairs and European Integration (MFor). There was also a strong connection between the Croatian Business Council for Sustainable Development (CBCSD) and the Croatian Employers Association (CEmpA).

The key actor, the environment ministry, acted as the gatekeeper to EU engagement and was located at the centre of the network. This indicates that the transformation of environment governance as a result of engagement with the EU was a work in progress, the network was still being constructed and developing its ways of working. Institutional creation had not led to a significant re-distribution of power and resources because of the focus on creating effective central capacity as part of accession and because of weaknesses in capacity sub-nationally and amongst civil society. As one civil society interviewee stressed: 'the Ministry for environmental protection is absolutely the biggest authority and it is very difficult to question their decisions and survive' (Interview. Croatian Business Council for Sustainable Development, 19 December 2007).

Interview evidence showed the EU was recognised as highly influential in creating institutions, priorities, and policy. It was clear from interviews and other evidence that the priority given by Croatian national authorities to the EU accession process did have consequences for the content and quality of the policies adopted but also stimulated the inclusion of a diverse set of actors operating in a network. However, the demands of enlargement conditioned the distribution of power within and the operation of this network. Interviewees claimed that the designation of a particular policy initiative as being of 'European' importance had the effect of 'shutting out' non-state actors in a 'fast-track' process intended to secure transposition with minimum delay in which societal actors

were perceived as potential obstacles, although respondents in the Commission were sceptical about this claim. Commission interviewees insisted they had seen no evidence of this and, in any case, the Commission accepted the inevitability of a limited role for non-governmental actors at this stage of the process. What mattered was the direction of travel (Interviews: DG Enlargement, 31 March 2009 and DG Environment, 25 May 2009). The danger was, as an interviewee expressed it: 'the pace of change is too fast because of the accession to the EU – so they can't cope with it properly, or there is not enough capacity to cope with it in ways that we should' (Interview. UNDP, 8 February 2008); a second blamed 'the stampede of European legislation ...for instance each law that has this 'EU stamp' goes into fast procedure, not a normal reading' (Interview, Green Action NGO, 14 May 2008). The Commission sensed that societal participation was not a priority and it did comment adversely on the amount and quality of public and NGO participation, a legal right neutralised by weak or non-existent mechanisms, whilst conceding the pre-eminence of hierarchy (CEC 2004, 103-04). To counter the centralisation stimulated by EU accession, respondents from interests that perceived themselves as being excluded (primarily civil society bodies) from effective participation in the policy process constructed a rival narrative to justify their *future* inclusion, arguing that centralisation (and therefore exclusion) would pose an obstacle to accession and produce poor policy and would have to be reversed eventually (Interview. Croatian Environmental Agency, 15 May 2008).

Thus, we have a state-centric governance: a centralised but fragmented horizontal dimension with environmental issues spread across of five ministries (albeit with one clearly pre-eminent ministry), exercising competencies over distinct policy segments, often with a lack of coordination between the actors. There are similar issues in the relationships between ministries and their clients in the vertical dimension. Despite some formal devolution of powers, municipalities, for example, were perceived to lack both a culture of inclusion and consultation, as well as adequate resources, administrative capacity, and technical expertise (CEC 2009a, 61-62). Where capacity and know-how was absent, the obvious sources of expertise were the NGOs. NGO representatives saw their inclusion in networks as formal and symbolic, although some NGOs, such as Green Action, Zagreb

and the Green Forum (a network of around 40 environmental NGO) did believe they had a substantive (albeit limited) input into environmental governance (Interview. Green Action NGO, 14 May 2008).

Emerging environmental governance in Macedonia

Engagement with the EU dates from the National Environment Action Plan (1997, revised 2004) that set out the strategy for compliance with the *acquis* (MEPP 1997, 2004). The Commission's assessment in the early-2000s was that Macedonia had made 'reasonable' progress in horizontal legislation, air quality, and waste management, but had had less success in water quality, nature protection, industrial pollution and risk management, noise, and GMOs. The Commission's analytical report on Chapter 27 noted Macedonia's legal framework (the Law on Environment, 2005) identified implementation as the main problem and 'Full compliance ... could be achieved only in the long term, and would necessitate increased levels of investment' (CEC 2005, 7).

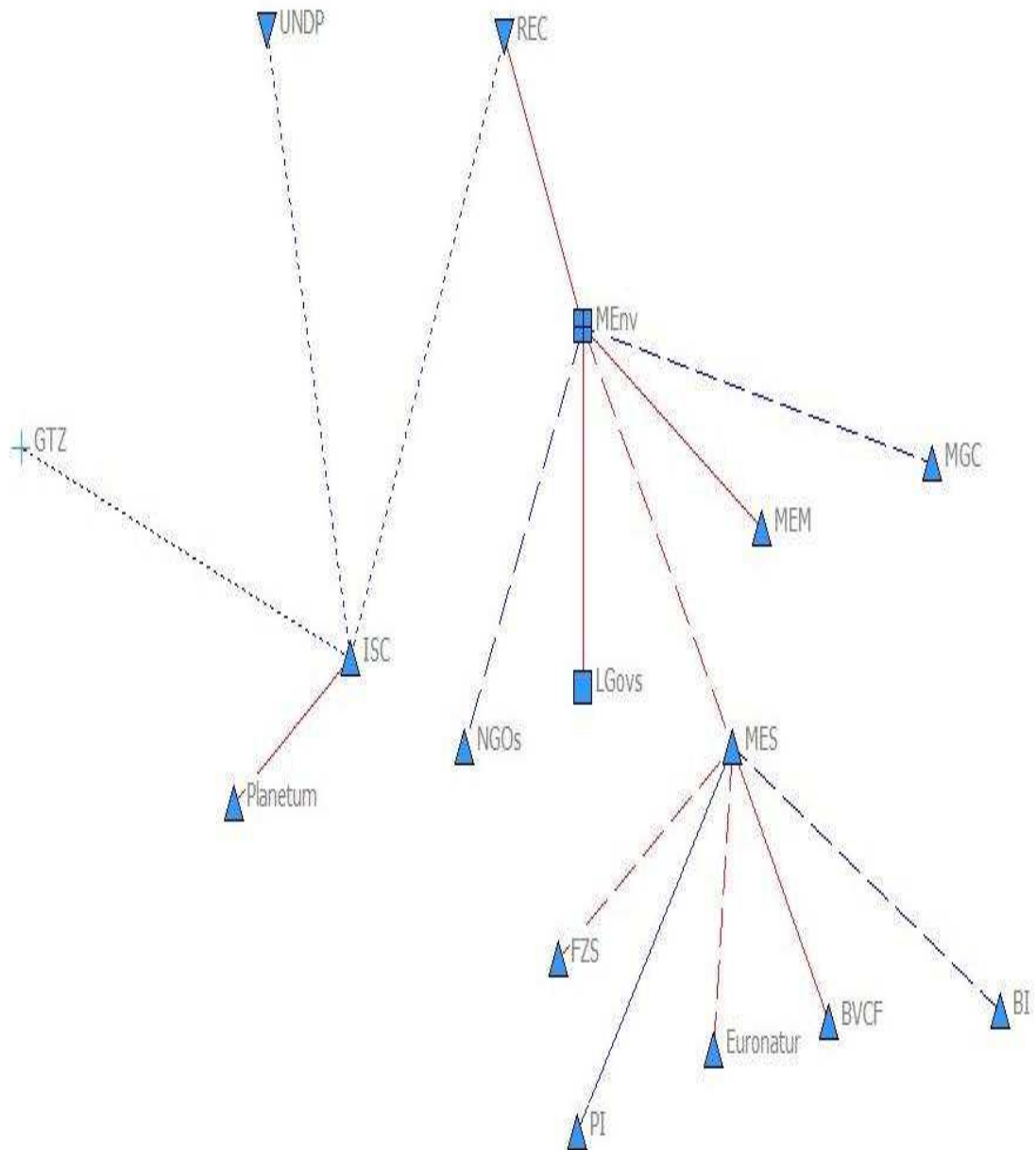
Acquis transposition and implementation was covered by the second National Programme for the Approximation of the *Acquis* (NPAAll) with the environment *acquis* covered by the National Strategy for Environmental *Acquis*. This complex strategy embraced 19 specific Directive implementation plans covering 73 separate pieces of EU legislation, which led to the reorganisation of the environment ministry to enable it to lead on environment policy. However, within this process transposition took primacy, with implementation and enforcement to be realised over a 'reasonable' (defined as 10 year) period. Horizontal legislation was to be fully approximated by 2012; GMO, Chemicals, and Noise by 2015, with the most costly and complex (such as Nature Protection, Integrate Pollution Control, Waste Management, Water, and Air Quality) between 2018-2022. Legal transposition would be completed between 2008 and 2012 and full implementation (including enforcement) between 2012 and 2022 at a cost of €2.3bn (about €200m p.a.) (MEPP 2008, 13).

Inevitably, then, the key institutional actor in Macedonia, the Ministry of Urban Planning, Construction and Environment, which was reorganized into four departments: Legislation and Standardization, Sustainable Development, European Integration, and Environmental Information. Two field-based divisions cover the Lake Ohrid conservation and the Lake Doiran salvage projects. The ministry administers the State Environment Inspectorate, the Office of the Environment, and the Fund for the Environment and Nature Protection and Improvement. There was limited involvement by the ministries of Agriculture, Transport and Telecommunications, Health, and Forestry. In addition, there is input from administrators responsible for the Environment Chapter within the Secretariat for European Affairs, as well as the Agency for Development and Investments, and the Parliamentary Commission on Environment, Youth and Sports. There is no stand-alone Environment Agency. The environment ministry (aided by relevant ministries, the SEA and other bodies) is responsible for drafting legislation and policy and strategy documents in line with EU requirements (Taylor, Geddes and Lees 2012, 198). The ministry had limited staff and resources (as did the State Environmental Inspectorate) and the resources allocated to inspections, implementation, compliance and enforcement were inadequate for the scale of the problems confronting Macedonia's environment. Central to environmental governance were Local Environmental Action Plans (LEAPS), even though the municipalities' capacities were limited. The environment ministry fully recognized the need for co-operation with sub-national government and between the municipalities (Interview. Ministry of the Environment, 8 March 2008). The key obstacle to empowering the sub-state level was a lack of administrative capacity and expertise, not least the lack of staff capable of accessing international networks and know-how. Several serious weaknesses in environmental governance and implementation stem from this lack but the structure of municipal government was relatively new at the time of original research and was politically contentious. The municipalities' newness inevitably meant they were weak in terms of the capacities and capabilities required in a highly technical area like environment policy.

Equally limited was the role of NGOs and civil society organisations, although some (such as the Association of Environmentalists and the Institute for Sustainable Communities) were recognised by a range interviewees as influential. The problem was as one government official put it: 'we draft the laws, but the weak link here is the implementation, so the most negative influence in this area comes from the people, the individuals because of the low consciousness level about the environment ... also an important factor are the low sanctions, low punishment payments that are set by the laws' (Interview. Ministry of the Environment, 8 March 2008). The involvement of civil society actors in Macedonia though weak was growing (albeit from a low base) and participation was recognized as a legitimate and necessary objective of policy. Respondents identified NGOs such as the Association of Environmentalists, or the Institute for Sustainable Communities as being reasonably influential, not necessarily in strategic terms but through involvement in specific projects, although there was a perception that NGOs were less active than previously, when basic strategies were being developed. Expertise was still offered but this was more on a task-specific basis than one of extended partnership.

Figure 2 outlines an extremely sparse network composed of few actors and a limited degree of interaction with a small number closely interconnected central actors.

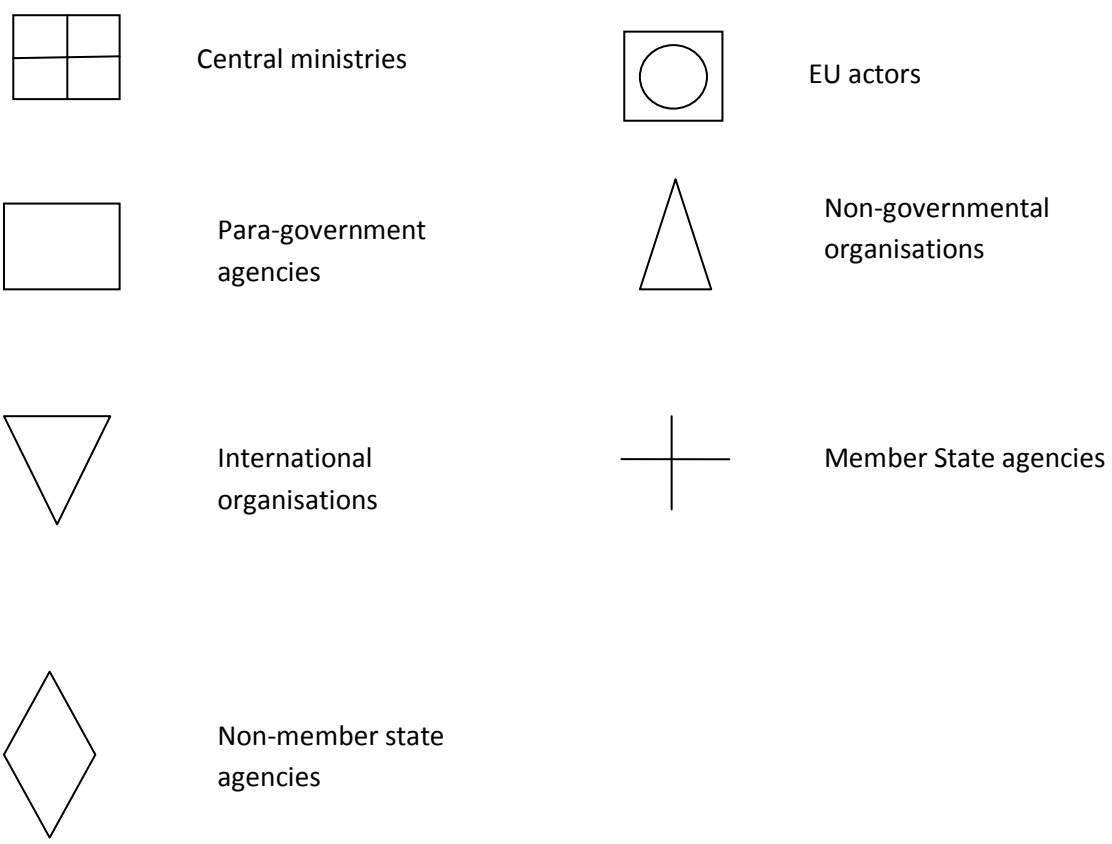
Figure 2 The environment network: Macedonia



Organisation	SNA abbreviation
Regional Environmental Center for Central and Eastern Europe	REC
Movement of Ecologists of Macedonia	MEM
Macedonian Ecological Society	MES
Macedonian Green Centre	MGC
NGOs	NGOs
Municipalities	LGovs
Frankfurt Zoological Society	FZS
Euronatur	Euronatur
Plantlife International	PI
Birdlife International	BI
Ministry of Environment and Physical Planning	MEnv
Black Vulture Conservation Foundation	BVCF
Gesellschaft für technische Zusammenarbeit	GTZ
UNDP	UNDP
Planetum	Planetum
Institute of Sustainable Communities	ISC

Key to Figure 1

- Occasional business relations/ work contacts
- Regular contacts, often in relation to specific projects
- Permanent and strategic relationship



An embryonic environmental policy network developed in response to engagement with the EU, with a core dominated by the environment ministry reflecting the overall need to establish effective hierarchies capable of implementing EU policy. The network outlined in Figure 2 is clearly a work in progress so the network's 'emptiness' indicates considerable scope for 'filling-in' (Taylor, Geddes and Lees 2012, 200). The network's evolutionary potential, as well as the dominance of hierarchy, is evident from this observation by an environment ministry official who noted that passing laws was not the problem but implementation was. This referred not only to the weakness of the network but its limited inability to enforce (and monitor) decisions because of a lack of sub-national enforcement capacity (Interview, 8 March 2008). Interviewees identified the REC (an external actor) as enjoying most influence at the national level. This external influence is subject to a gatekeeper in the shape of MEPP (MEnv), which enjoys very close linkages with REC, local government, and with the Movement of Ecologists of Macedonia (MEM). There is considerable involvement by external actors but only the REC is a participant in the core network; there are other examples of permanent-strategic relationships (for example, Plantlife International with the Macedonian Ecological Society) but these are isolated. The involvement of external groups are either occasional (such as UNDP and GTZ) or regular contacts (such as FZS and Euronatur) based on specific projects. What we see are several strategic relationships (involving, for example, the environment ministry, the Regional Environmental Centre, ecologists, local government; and between the Macedonian Ecological Society and other environmental groups such as Plant Life International and the BVCF). These components are not 'joined up' and this conveys the impression of an emerging network based on engagement derived from specific projects, not permanent partnership workings. This is a fragmented network reflecting the historic weakness of environment as a policy sector in Macedonian politics and the small number of central actors involved. This is what we would expect to see in the early stages of a policy sector's and its network's development. In contrast to Croatia notable is the absence of the EU delegation.

These weaknesses in capacity and capability had significant effects on delivery and coordination, with resources concentrating at the centre, which meant that Macedonia 'is not yet sufficiently prepared in the field of environment [sic]' (CEC 2008, 69). Technical and infrastructural weaknesses and the low visibility of civil society, reinforced, by the over-riding objective of accession, inevitably meant a focus on the creation of central hierarchical capacity rather than network governance. Plans to strengthen national and sub-national capacity between 2009 and 2014 were undermined by shortages of resources and weak coordination (CEC 2009b, 69-70). This meant that even when complex EU-derived strategies were developed and laws passed, the administrative structures necessary for implementation were weak or even absent. The network was, therefore, 'hollow' even though Macedonia had aligned itself with EU legislation. Waste management, one of the most complex of EU environmental policies, illustrates the problem: despite passing the necessary legislation 'Administrative capacity is still insufficient at both central and local level. Investment in this area is far from sufficient ... A system of data collection, registration and reporting is still not operational' (CEC 2011, 71). Interviewees recognised these problems and that they had to be overcome if environmental governance was to be effective, a sentiment that was particularly strong in the Secretariat for European Affairs, which was responsible for coordinating enlargement activity. Interestingly, the SEA was not identified as a network participant in its own right, its involvement came via the environment ministry. As an SEA interviewee expressed thus it: hierarchy took priority 'because we want to become an EU member' (Interview, 7 March 2008). This focus on hierarchy did not prevent the growth of a network but shortages of resources and capabilities, and the considerable load inherent in environment policy inevitably placed a premium on strengthening capacity and hierarchy (Interview. Institute for Sustainable Communities, 6 March 2008).

Some NGOs even sensed a decline in their influence, believing they were actively courted when legislation and strategy were being developed and then ignored when the focus shifted to implementation where hierarchy predominated. This was because of the emphasis on creating central capacity as part of enlargement (Taylor, Geddes and Lees 2012, 201). Figure 2 shows that

institutions have been created by EU demands and the EU has stimulated learning and the extension of policy downwards through sub-national governments and into civil society. Interestingly, actors were conscious of the normative dimensions of environmental governance and the EU's preference for partnership working in networks, and believed that non-governmental actors would eventually play a major role in environmental governance (Interview. Institute for Sustainable Development, 8 March 2008). Consultation developed rapidly under EU influence but partnership working remained underdeveloped because the fundamental pressure was to create effective hierarchy as part of the enlargement process and because civil society organisations often lack the capacity to fulfil their expected role.

In so far as there have been changes in the structures of environmental governance in Macedonia our interviewees stressed that EU-funded projects were aimed at capacity building and social learning and these projects were key sources of change. Despite, or perhaps because of, the weaknesses of environmental governance, the influence of external organisations was surprisingly strong on both government and civil society. As a one official argued 'regarding different projects we cooperate and communicate with EU members, for example Italy, Austria, or Switzerland, which it is not in the EU but it supports a lot of projects in Republic of Macedonia in the field of bilateral cooperation The stability pact is also present [and] we have cooperated with them [sic]. Then there are the neighbouring countries and regional ones, like Greece then bilateral cooperation with Albania, Bulgaria, Turkey and others. I am mentioning these countries regarding the financial assistance that has been provided, and all the projects implemented (Interview. Secretariat for European Affairs, 7 March 2008).

This was echoed by an NGO activist: 'we cooperate with many such organizations from Spain, Germany, Switzerland, Bulgaria, and Greece. Mainly from the nongovernmental sector - professional NGOs. We cooperate less with domestic organizations' (Interview. Macedonian Ecological Society, 6 March 2008).

During fieldwork we found limited evidence of the mainstreaming of environmental policy with competences largely confined to the environment ministry, with limited input from other ministries and the SEA, and the Parliamentary Commission on Environment, Youth and Sports. There are limited network effects on the vertical (central – subnational) dimension and NGO involvement is limited; their expertise is sought on a task-specific basis rather than through partnership. The key point, however, is that interviewees from central government and those closely involved with enlargement, indicated a willingness, indeed a determination, to open up environmental governance to partnership working on lines envisaged by the EU (Interview. Secretariat for European Affairs, 7 March 2008). As institutions were created, however, the key problem was creating and enhancing administrative capacity and expertise at the centre and then at the sub-state level in order to first transpose and then implement the environmental *acquis*. This implied a potential shift of power away from the centre, something which central actors were reluctant to sanction because they feared the introduction of potential irritants into the enlargement process. In the context of new institutions and limited resources this was a substantial load. As one respondent put it: ‘all directions are coming through the EU... from the DG, so we are trying to follow everything that is going on in the EU, as fast as we can to adopt it, to implement it properly.... it is crucial because we want to become an EU member’ (Interview. Secretariat for European Affairs, 7 March 2008). The primary objective was, therefore, to increase (primarily) central state capacity. As one interviewee memorably put it: ‘I think other countries in the region and especially those who are ahead of them in the track to the EU: Bulgaria, Romania, Croatia, Czech Republic and Slovakia. They look at those countries as places for learning [but] the EU is not seen as a place of learning but as a place of standards’ (Interview. Institute for Sustainable Communities, 6 March 2008).

Conclusions

The evidence presented here shows that establishing new modes of environmental governance requires substantial investment in hierarchy and the EU plays a critical role in stimulating the

creation of that hierarchy. In the emergence of Croatian and Macedonian environmental governance we see the foundation of many network characteristics, as well as a declared preference for openness, accountability, representativeness, and participation. Both countries' networks are hierarchical in respect of their emergence and operation, both are dominated by the environment ministry and non-state actors enjoyed limited influence and interacted sporadically with the policy process. In both countries the environment ministry acts as gatekeeper, the network is a response to engagement with the EU and policy complexity, and there has been no significant redistribution of power because of the emphasis establishing and developing on central capacity. Interview evidence identified the EU as the crucial influence on policy development and institutional creation by governments whose primary objective was accession. Compared to Croatia's Macedonia's emerging network was sparse, reflecting the very recent emergence of environmentalism as a policy sector under the influence of the EU, and the environment ministry clearly dominates the emerging network. NGO involvement is even more limited, despite a government and NGO willingness to engage the priority is effectiveness, which means hierarchy.

The cases have three common elements: first, the centrality of the environment ministry; second, weaknesses of capacity and capability (especially at the sub-national) and in civil society; and third, both experienced difficulties in creating and sustaining complex (especially horizontal) coordination and partnership working. Environmental policy is necessarily multi-level and multi-actor but 'multi-level' describes institutional relations not the policy process and the key actors are the central ministries. In Croatia there are (admittedly contested) claims that even where participation developed, it was largely symbolic. In Macedonia the network was even weaker and more fragmented, with a correspondingly greater role for the centre; both were the creation of, and are energised, by the EU seeking transposition and effective implementation, allied to promoting deep learning and the pluralisation of policy-making (Interview. DG Environment, 25 May 2009). An important influence is environmental policy's technical complexity that pulls towards networks, but enlargement (requiring an effective state) pulls sectoral organisation towards hierarchy, a pull

enhanced by shortages of capacities and capabilities, and weak civil societies in countries with a history of centralisation. Enlargement is therefore a process of state building whose character is determined and facilitated by the EU and in enlargement hierarchy is superior, being concerned with creating effective governing capacity. In both countries hierarchy dominates and networks transmit the centre's environmental influence outwards and downwards.

There were obvious differences between Croatia and Macedonia. Some can be ascribed to timing (Croatia was further along the path to EU membership), that Croatia's state was considered more developed and capable than the Macedonian, as was Croatian civil society, which was reflected in the Croatian network's relative complexity. Both countries were responding to the same EU policies and preferences and so we would expect Croatia and Macedonia to follow a broadly similar trajectory with the latter following the former. However, and this is central to the Europeanization hypothesis, this convergence is filtered through national institutions and politics, which provide ample room for variation. The 2004 enlargement provided a broad indication to the Western Balkans of the likely evolution and contours of environmental governance and similarly Croatia provided an image of Macedonia's future environmental governance as it progressed through enlargement towards membership. As the enlargement process proceeds, the experience of Central and Eastern Europe and Croatia indicates that Macedonia's environmental governance network will become more complex in terms of both membership and interaction as policy is implemented and EU membership approaches. Equally, throughout this process we would expect an increased, albeit subordinate role, for civil society organisations in the environmental policy network. In both Croatia and Macedonia, actors recognised both the centrality of (for example) of the environment ministry during the enlargement process (a centrality that will continue after accession) whilst accepting the desirability and necessity of greater civil society engagement and that this involvement would increase after accession. We would expect this general pattern to be repeated across the Western Balkans subject, of course, to national variations.

Networks are inevitable, an artefact of a technically and organisationally complex policy, but do not represent a significant move towards a new mode of governance. Rather, 'network' describes the structure in which environmental governance is conducted. Resource and power asymmetries, reinforced by the demands of enlargement, strengthen hierarchy and focus on central state capacity. In Croatia and Macedonia we see the enhancement of *government* because what existed differed markedly from what the EU required. Satisfying the EU's requirements in the enlargement process, including effective environmental policy, requires, first and foremost, an effective state. Undeniably, participation has broadened and new ways of interacting have developed, or are developing, but environmental governance remained focussed on creating hierarchy to secure EU membership and satisfy the obligations of membership. To reiterate: enlargement is not concerned with creating networks but effective hierarchies, networks exist that are the by-product of complex policy. Participation has broadened, new ways of interacting have emerged but the situational logic of enlargement means hierarchy is pre-eminent; networks are a functional response to policy complexity and not a new mode of governance.

References

- Bieber, F. ed. (2013) *EU Conditionality in the Western Balkans* (London: Routledge).
- Börzel, T. (2002) 'Member state responses to Europeanization,' in *Journal of Common Market Studies*, 40(2): 193-214.
- Börzel, T.A. (2013) 'When Europeanization hits limited statehood: the Western Balkans as a test case for the transformative power of Europe', in A.Elbasani (ed.) *European Integration and Transformation in the Western Balkans. Europeanization or business as usual?* (London: Routledge), 173-184.
- Brandes, U. and Erlebach, T. (eds) *Network Analysis: Methodological Foundations* (Berlin and Heidelberg: Springer-Verlag).
- Breiger, R.L. (2004) 'The Analysis of Social Networks,' in M. Hardy and A. Bryman (eds), *Handbook of Data Analysis* (London: Sage).
- Carrington, P.S., Scott, J. and Wasserman, S. (eds.) *Models and Methods in Social Network Analysis* (New York: Cambridge University Press).
- CEC (2001a) *European Governance. A White Paper*. COM(2001) 428 final. Brussels, 27.7.2001.
- CEC (2001b) *Proposal for a Council Decision Concerning the Signature of the Stabilisation and Association Agreement between the European Community and its Member States and the Republic of Croatia on behalf of the European Community* COM(2001) 271 final. Brussels,
- CEC (2004) *Opinion on Croatia's Application for Membership of the European Union* COM(2004) 371 final. Brussels, 20.4.2004.
- CEC (2005) *Analytical Report for the Opinion on the Application from the former Yugoslav Republic of Macedonia for EU Membership* SEC(2005) 1425. Brussels, 09.11.2005.

- CEC (2008) *The former Yugoslav Republic of Macedonia 2008 Progress Report* SEC(2008) 2695.
Brussels, 05.11.2008.
- CEC (2009a) *Croatia 2009 Progress Report* SEC(2009) 1333. Brussels, 14.10.2009
- CEC (2009b) *The former Yugoslav Republic of Macedonia 2009 Progress Report* SEC(2009) 1355.
Brussels, 14.10.2009.
- CEC (2011) *The former Yugoslav Republic of Macedonia 2011 Progress Report* SEC(2011) 1203.
Brussels, 12.10.2011.
- Cohen, L.J. and Lampe, J.R. (2011) *Embracing Democracy in the Western Balkans. From post-conflict struggles toward European integration* (Washington, DC: Woodrow Wilson Center/Johns Hopkins University Press).
- DEC (2003) *Environmental Assessment of Development Strategies* (Zagreb: Delegation of the European Commission). Available from www.delhrv.cec.ev.int
- DEC (2004) *Capacity Strengthening Measures for the Croatian Environmental Agency* (Zagreb: Delegation of the European Commission). Available from www.delhrv.cec.ev.int
- Dowding, K.A. (1995) 'Model or Metaphor? A Critical Review of the Policy Network Approach,' *Political Studies*, 43(?): 136-58.
- Elbasani, A. ed. (2013) *European Integration and Transformation in the Western Balkans. Europeanization or business as usual?* (London: Routledge).
- Grabbe, H. (2006) *The EU's Transformative Power. Europeanization through Conditionality in Central and Eastern Europe* (Houndmills: Palgrave Macmillan).
- Kohler-Koch, B. and Rittberger, B. (2006) 'The "Governance Turn" in EU Studies,' *Journal of Common Market Studies*, 44(1): 27-49.

- MEPP (1997) *National Environmental Action Plan: Synthesis Report* (Skopje: Ministry of Environment and Physical Planning).
- MEPP (2004) *National Environmental Action Plan: Synthesis Report* (Skopje: Ministry of Environment and Physical Planning).
- MEPP (2008) *National Strategy for Environmental Approximation*. Skopje: Ministry of Environment and Physical Planning.
- Mungiu-Pippidi, A. (2010) 'Europeanization of South-East Europe. The Final Act?', in W. van Meurs and A. Mungiu-Pippidi (eds.), *Ottomans into Europeans. State and Institution Building in South Eastern Europe* (London: C. Hurst & Company), 305-319.
- Noutcheva, G. ed. (2012) *European Foreign Policy and the Challenges of Balkan Accession. Conditionality, legitimacy and compliance* (London: UACES/Routledge).
- OJ (2006) *Council Decision of 20 February 2006*. 2006/145/EC
- Polsby, N.W. (1980) *Community Power and Political Theory: A Further Look at Problems of Evidence and Inference*. 2nd enlarged edition (New Haven CT and London: Yale University Press).
- Schimmelfennig, F. (2008) 'EU political accession conditionality after the 2004 enlargement: consistency and effectiveness,' *Journal of European Public Policy*, 16(6): 918-37.
- Schimmelfennig, F. and Sedelmeier, U. (2005) 'Introduction: Conceptualising the Europeanization of Central and Eastern Europe', in F. Schimmelfennig and U. Sedelmeier (eds) *The Europeanization of Central and Eastern Europe* (Ithaca and London: Cornell University Press), 1-29.
- Taylor, A., Geddes, A. and Lees, C. (2012) *The European Union and South East Europe. The Dynamics of Europeanization and Multi-level Governance* (London: UACES/Routledge).

- Trauner, F. (2011) *The Europeanisation of the Western Balkans. EU justice and home affairs in Croatia and Macedonia* (Manchester: Manchester University Press).
- Vachudova, M. (2005) *Europe Undivided: Democracy, Leverage and Integration after Communism* (Oxford: Oxford University Press).
- Vink, M.P. and Graziano, P. (2007) 'Challenges of a New Research Agenda,' in M.P. Vink and P. Graziano (eds) *Europeanization. New Research Agendas* (Houndmills: Palgrave Macmillan).
- Vlašić, I. and Feketija, M.V. (2006) *The Importance of Environmental Protection: Croatia in the European Union Accession Process*. Available at: www.fes.hr/E-books/pdf/Croatian_accession_to_EU4/12.pdf
- Wasserman, S. and Faust, K. (1994) *Social Network Analysis: Methods and Applications* (Cambridge: Cambridge University Press).