

Challenges for the Accession Countries in the EU's Environmental Field



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*€ 110 billion ... the estimated costs the candidate countries have to pay in order to become compliant with the EU's environmental policy. This just goes to show what importance this chapter of the *acquis* is to the enlargement process.*

Introduction

Almost four years to date, assessment reports from the Commission's Environment Directorate stated that many of the Central and Eastern European Countries (CEECs) queuing to join the EU were falling behind on the adoption of the EU's environmental standards. This was also true for the other two applicant countries, Cyprus and Malta. Today, to date, all ten front-runner candidate countries have provisionally closed the environment chapter, acquiring between them 48 transition periods and a hefty financial bill to set their environmental standards straight. The governments of all the candidate countries understand that their citizens deserve the same quality of life as the citizens in the Member States, and that they should not be put in the position of putting up with environmental problems that the EU citizens would never tolerate.

Negotiations

The 1998 reports had stated that with regard to the ten CEECs, these varied from having made strong progress, such as the Baltic countries of Estonia and Lithuania, to others, such as Czech Republic and Slovenia, stagnating in their process toward membership. Referring to the first wave CEEC applicants, the reports talked of Czech Republic's little progress in its administrative reform within the environmental ministry and lack of enthusiasm in adopting the *acquis*; Hungary's need to increase and train government environment staff particularly in the implementation of the EU's 1994 directive on pollution prevention and control; Poland's understaffing in the environmental sector due to low salaries and the lack of effort on reinforcing the monitoring infrastructure in the air and water sectors; and Slovenia's failure to reform and consolidate its environmental inspectorates and enforcement system. Yet, with all the negative remarks given, four years on these countries made serious efforts and completed the environmental elements of their accession negotiations. These countries set standards, which are to serve as guidelines not only for other candidate countries, but also for the present Member States. This does not mean that the candidate countries

agreed to have everything in ship-shape condition on the day of accession. As mentioned, a number of transition periods have been granted, the same length as requested by the countries concerned, but these are few, and much less to what was originally requested by the candidate countries.

In many cases, the accords were slashed to a handful, with the candidate countries having to work harder to make sure they reach target date on all the other transitions periods that had to be forgotten. Slovenia, the first prospective new EU member to complete the environmental elements of its accession negotiations, had to remove its stumbling block by dropping a request to temporarily exempt a local refinery from EU auto-oil rules after its accession to the Union, whilst the countries of Czech Republic, which originally asked for seven transition periods, and Lithuania, which asked for eight transition periods, had to agree amongst others, to implement by date of accession, the quality of water intended for human consumption. These agreements confirmed the EU's pledge to cut down on the transition periods being requested, to provide for the firm indication of the EU's determination to force new members to adopt strict environmental protection standards before being allowed in, and to limit any transitional periods given to investment-heavy directives without direct influence on the internal market.

As may be noted from the table presented, the transition periods given vary from country to country, with Slovenia and Hungary being given up to 2015 to implement the Urban Waste Water Directive. But these long transitional periods given may cause problems with the European Parliament, which wants no transitional periods to last for more than five years. Although the MEPs cannot renegotiate the chapters already closed (even though provisionally), they have the right, like EU governments, to veto any country's accession.

As may also be noted from the table, the Candidate Countries were not all granted the same directives as transition periods, even though many had opted for the same, in their original respective position papers, prior to the start of negotiations. All though realise that, in the long term, environmental investments, although extremely hefty in certain areas, can ultimately improve their economic efficiency and boost productivity. Implementing the EU environmental directives help improve the health and quality of life of all citizens and

in monetary terms, the benefits are likely to be of the same order of magnitude, if not larger than, the costs of implementing the EU directives.

Malta is the latest and last candidate country from the ten front-runners to temporarily close the environment chapter, obtaining most of the transitional periods asked for in order to adapt to EU environmental standards. It is not that the country did not want to adopt the EU standards, but simply because there was much at stake and also so much to do and so little financial backup. Asking for extra time was important so as to be able to catch up within a realistic framework. Also, one of the hot issues with regard to Malta's negotiation stance was the hunting element, a traditional pastime in

Malta. Malta struck a deal with the EU on the environment chapter, which will eventually make it the only member state in which hunting in spring is permitted.

Financial Challenges

During this last decade, the vast majority of the candidate countries undertook a national environmental planning and priority-setting exercise, resulting in the National Environmental Action Programmes. The reports, which require regular monitoring and reviewing, result in long lists of actions for the country and include many investment projects and a good level of awareness of local environmental problems, but, as is the case with implementation, a source of problems with obtaining

Table 1: Directives granted for transition periods for the ten frontrunners

Country	Directives	Implemented by
Cyprus	Urban Waste Water	2012
	Packaging waste	2005
	Sulphur content of certain fuels	2005
Czech Republic	Urban Waste Water	2010
	Packaging waste	2005
Estonia	Urban Waste Water	2010
	Landfill Waste	2009
	Drinking Water	2013
	VOCs from petrol storage	2006
Hungary	Urban Waste Water	2015
	Packaging waste	2005
	Hazardous waste incineration	2005
	Air pollution from Large Combustion Plants	2004
Latvia	Drinking water	2015
	Landfill Waste	2004
	Urban Waste Water	2015
	Packaging waste	2007
	VOCs from petrol storage	2008
	IPPC	2010
	Asbestos waste	2004
	Health protection against ionising radiation	2005
Lithuania	Urban Waste Water	2009
	VOCs from petrol storage	2007
	Packaging waste	2006
Malta	Waste Water Treatment	2007
	VOCs from petrol storage	2004
	Air pollution from Large Combustion Plants	2005
	Drinking Water	2005
	Dumping of Dangerous Substances into Sea	2007
	To Reach Overall Recycling Target	2005
	Recycling of Plastics	2009
	Ban of Bottling of Soft Drinks in Plastic Bottles	2007
	Wild Birds Directive*	

Poland	Sulphur content of certain fuels	2006
	Shipment of Waste	2007
	Landfill Waste	2012
	Packaging waste	2007
	VOCs from petrol storage	2005
	IPPC	2010
	Discharge of dangerous substances into surface water	2007
	Health protection against ionising radiation	2006
Slovakia	Hazardous waste incineration	2006
	Discharge of dangerous substances into surface water	2006
	Urban Waste Water	2015
	VOCs from petrol storage	2007
	Air pollution from Large Combustion Plants	2007
	IPPC	2011
Slovenia	Urban Waste Water	2015
	Packaging waste	2007
	IPPC	2011

* In order to maintain the traditional patterns of hunting and trapping which have evolved as a result of Malta's particular bio geographical circumstances, Malta will apply a derogation to continue to allow hunting of turtledove and quail in spring. It will also continue to allow trapping. By end 2007, Malta will establish a full captive breeding system to maintain traditional trapping. A moratorium on new trapping licences was introduced in August 2002 and will apply throughout the transitional period.

the financial investment needed is obvious. Fortunately, but within limits, these future Member States are already involved in the European environmental policy via the Sixth Community Action Programme for the Environment, which covers the period 2001-2010, and that by the end of this year they would have also integrated within the European Agency for the Environment (EEA).

For all the applicant countries (and here one must also include Bulgaria and Romania), the development of the environmental programme requires hefty investment, and given the financial resources the candidate countries have available, this is not much. EU support will meet only a small proportion of the total needs. From studies carried out by the Commission, it transpires that the candidate countries need to spend between two to three percent of their GDP annually for full implementation. This may not present major problems to some of the countries, since it is evident that the investment needs differ considerably between the candidate countries. But all the countries need funding, sources which include loans from international financial institutions, bilateral grants and credit schemes, commercial bank loans (a number of banks are beginning to specialise in funding environmental infrastructure in the candidate countries) and the introduction of taxing schemes related to environmental damages, such as the polluter pays principle.

In 1999, the commission's technical team launched the Priority Environmental Programme for Accession (PEPA). The main role of the programme was and still is to support the development of implementation plans for the heavy investment directives such as the Urban Wastewater Treatment Directive, the Landfill Directive

and the Large Combustion Plants Directive, to mention but a few. It is of utmost importance that the candidate countries realise their priorities and work to achieve their goals accordingly. As stated in the Commission Communication (COM (2001) 304final), "*in the medium to long term, the candidate countries need to prioritise their investment needs systematically*" with this need extending "*far beyond accession*".

Conclusion

The transition periods given to the Candidate Countries may seem a lot to many but in actual fact they represent just a small proportion of what was originally asked for. A number of the countries in question had to identify and quickly determine the current status of compliance with specific directives, which could no longer be considered for transitional periods. This in turn put more pressure on the governments and their countries in revising their schedules for transposition and implementation, further strengthening their administrative capacities and ultimately having to amend their initial financial assessments.

The candidate countries need to work together in order to succeed in time for accession. Networking, training and exchange of ideas and practices contribute greatly to the success of the implementation of the environmental policy within their system. Exchanging their experiences will help accelerate the process and as can already be seen with a number of the candidate countries, they are increasingly willing to share their long-term investment plans with each other.

The challenges for the ten front-runners, Bulgaria and Romania are great. Although technical and financial

assistance has already been given to many of the countries, grants will still be needed for post-accession. EU support and other external assistance meet a very small proportion of the total needs for full implementation of the environmental acquis. What all the countries realise is that these steps are important for the individual country and ultimately for the well being of their citizens. What is also important for the Member States to realize is that these countries who until recently were considered to be backward in their environmental policies are slowly but surely catching up on them, possibly making their countries of a greater and a more protected environmental haven within a couple of years.

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NOTES

¹ TV-link programme on *The Environment and Enlargement*. □