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## Governance beyond the nation-state: Transnationalization and europeanization of the Baltic Sea Region

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# DISCUSSION PAPER



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**SP IV 2004-105**

## Governance Beyond the Nation-State: Transnationalization and Europeanization of the Baltic Sea Region\*

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## **Abstract**

After the end of the Cold War, the Baltic Sea Region (BSR) developed into a highly dynamic area of cross-border cooperation and transnational networking. Four types of governance beyond the nation-state are discussed here: (1) international regimes, such as the Helsinki Convention for the Protection of the Baltic Sea; (2) transnational policy networks, such as Baltic 21, the world's first regional Agenda 21; (3) transnational networks, such as the Union of the Baltic Cities (UBC); and (4) the European Union with approaches such as the "Northern Dimension" for the development of the Baltic Sea Region. Governance towards sustainable development of the Baltic Sea Region undoubtedly requires a combination of national governance with these governance types beyond the nation-state. In this respect, transnational (policy) networks and the European Union provide promising new approaches that can complement the traditional forms of international and intergovernmental cooperation between nation-states. These new governance types represent two parallel trends: a development towards (1) transnationalization and (2) the Europeanization of the Baltic Sea Region.

## **Zusammenfassung**

Nach dem Ende des Kalten Krieges entwickelte sich die Ostseeregion zu einem außerordentlich dynamischen Raum der grenzüberschreitenden Kooperation und der transnationalen Netzwerkbildung. In dem vorliegenden Artikel werden vier Typen der Governance jenseits des Nationalstaates diskutiert: (1) internationale Regime wie die Helsinki-Konvention zum Schutz der Ostsee; (2) transnationale Politiknetzwerke wie die Baltic 21, die weltweit erste regionale Agenda 21; (3) transnationale Netzwerke wie die „Union of the Baltic Cities“ (UBC); und (4) die Europäische Union mit Ansätzen wie der „Northern Dimension“ zur Entwicklung der Ostseeregion. Governance in Richtung auf eine nachhaltige Entwicklung des Osteseeraums erfordert zweifelsohne eine Kombination aus nationaler Governance mit diesen Governance-Typen jenseits des Nationalstaats. In dieser Hinsicht liefern transnationale (Politik-)Netzwerke und die Europäische Union viel versprechende neue Ansätze, welche die traditionellen Formen der internationalen und intergouvernementalen Kooperation zwischen Nationalstaaten ergänzen können. Diese neuen Governance-Typen repräsentieren zwei parallele Trends in Richtung auf (1) die Transnationalisierung und (2) die Europäisierung der Ostseeregion.

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## 1. Introduction

After the end of the Cold War, the Baltic Sea Region developed into a highly dynamic area of cross-border cooperation and transnational networking. This trend was reinforced by the imminent enlargement of the European Union (EU), which increased by 10 new members in 2004. As the Baltic Sea is now surrounded by EU member states (with the sole exception of Russia), European integration appears to offer a real chance to clean up the Baltic Sea which is still endangered by pollution.<sup>1</sup> EU enlargement resulted in a fundamental change to the governance of the Baltic Sea Region, although the new member states in the region had already followed the lead set by Brussels and EU policies in the pre-accession phase.

However, the region is still divided into two parts: while the Nordic countries and Germany are considered environmental pioneers,<sup>2</sup> Poland and the three Baltic republics<sup>3</sup> still lag behind European standards and face serious environmental problems which can not be solved in the short run. Thus, close cooperation between the countries and new forms of governance are necessary for the clean-up of the Baltic Sea as a common good and for the sustainable development of the entire region (Kindler/Lintner 1993; Swedish Ministry of Environment 2000).

The aim of this paper is to analyze different types of governance beyond the nation-state in the Baltic Sea Region. The following section, 2, discusses the limits of national governance and describes four different types of governance beyond the nation-state: (1) international regimes, such as the Helsinki Convention for the Protection of the Baltic Sea; (2) transnational policy networks, such as Baltic 21, the world's first regional Agenda 21; (3) transnational networks, such as the Union of the Baltic cities (UBC); and (4) the European Union with approaches such as the "Northern Dimension" for the development of the Baltic Sea Region. These new governance types represent two parallel trends: a development towards

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1 See the recently published special report of the German Council of Environmental Experts on Marine Environment Protection of the North and Baltic Seas. In this report the Council states that the seas remain at considerable risk (SRU 2004; cf. *Umwelt* 4/2004, pp. 204-205).

2 Environmental policies in the Nordic countries are examined in several volumes; see Lafferty and Meadowcroft (2000), Joas and Hermanson (1999), Jänicke and Weidner (1997), and Andersen and Liefnerink (1997).

3 Most relevant studies concerning the transformation countries in the southern Baltic Sea Region concentrate on environmental policy in Poland; see Anderssen (1999, 2002), Bedarff (2000), Tews (1999), and Cole (1998). On decentralization and the structures of the environmental administration in Poland, Estonia, Lithuania, and Latvia, see Reents, Krüger, and Libbe (2002).

(1) transnationalization and (2) the Europeanization of the Baltic Sea Region. Relevant examples and case studies are presented in the subsequent sections. First, the different aspects of Baltic transnationalization are discussed in section 3. Second, the Europeanization of the Baltic Sea Region is analyzed in section 4. In the final section, 5, some conclusions are drawn regarding the emerging forms of governance in the Baltic Sea Region and the relationship between Baltic transnationalization and Europeanization.

## **2. Governance in the Baltic Sea Region**

### **2.1 The Limits of National Governance**

In the past, environmental policy in the Baltic Sea Region was centered at the level of national governance. However, the sustainable development of the region can only be guaranteed through a combination of national governance and new modes of governance that reach beyond the nation-state. Because the protection of the Baltic Sea as a common good is at stake, and because policy approaches as well as impacts vary considerably from country to country, different types of cooperative policies must be developed and applied systematically. Developments in the Baltic Sea Region reflect a general trend towards a new definition of the sovereignty of the nation-state and the increasing importance of international organizations and regimes, on the one hand, and transnational and sub-national actors, on the other (cf. Varwick 1998: 56). However, this is not to say that the nation-state has, or will soon, become obsolete. Despite these trends involving the obvious diffusion of power, authority, and legitimacy to other government levels and actors, the role of the nation-state remains crucial.<sup>4</sup>

However, the importance of national government and governance in the Baltic Sea Region has declined. It is now defined and executed in new modes and arrangements beyond the nation-state. Generally speaking, such new governance arrangements involve the transfer of national authority in three directions: upwards, to the level of international and supranational institutions; sideways, to

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<sup>4</sup> Nation-states themselves have also undergone changes, for example, from interventionist to enabling modes of governance (cf. Peters/Pierre 2001: 131; cf. Hooghe and Marks 2003: 241).

civil society actors; and downwards, to sub-national actors (cf. Rosenau 1999: 293).<sup>5</sup>

So, how do these concurrent trends look, specific to the Baltic Sea Region? First, responsibilities are already being increasingly reassigned to international and supranational institutions. After the end of the Cold War many new international and intergovernmental institutions such the Council of the Baltic Sea States were created, and existing institutions such as the Helsinki Commission (HELCOM) gained momentum. These early-1990s developments were superseded by a comprehensive Europeanization of the Baltic Sea Region, which began in the mid-1990s. The European Union became the most important international actor in the region due to EU enlargement.

Second, many tasks which previously came under the authority of national governments were transferred from governmental to non-governmental actors. Such transfers continue and can be observed within nation-states and at international level where transnational policy networks (cf. Benner/Reinicke/Witte 2003) and public-private partnerships (cf. Hamm 2002; Wolf 2003) have emerged in recent years.

Third, since the early 1990s, government reforms have played an important role in the Baltic Sea Region, especially among the former socialist countries. Local and regional self-governance was reinstated in Poland, the three Baltic Republics, and Russia. Decentralization and the devolution of authority have strengthened the position of sub-national entities and increased local capacities in these countries (Reents/Krüger/Libbe 2002; Dorsch 2003).<sup>6</sup>

In sum, therefore, there appear to be two clear and strong tendencies: (1) towards the transnationalization of the Baltic Sea Region, because tasks are transferred from governmental to non-governmental and sub-national actors, and (2) towards the Europeanization the Baltic Sea Region.

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5 On this “triple devolution”, see also Rosenau (1995: 39; 1997: 31); compare Pierre and Peters (2000: 83ff), and Voelzkow (2000: 281ff).

6 An overview on all international, intergovernmental, European, transnational, and sub-national organizations active in the Baltic Sea Region is provided by Suominen, Antola, and Haukala (2000); cf. Voß (1999).



## 2.2 Types of Governance beyond the Nation-State

The emergence of various new forms of international, intergovernmental, supranational, and transnational governance in the Baltic Sea Region (cf. Jann 1993) was triggered by three developments that involved all levels of government and a wide range of policy areas: (1) the end of the Cold War, which led to the establishment of new transnational and sub-national actors, followed by the transformation processes in the former socialist countries, which were aided primarily by the Nordic countries; (2) the United Nations Conference on Environment and Development in Rio de Janeiro in 1992 which triggered the implementation of Agenda 21 (UN 1992: 3) and introduced more integrative and participatory approaches; (3) increasing European integration, the product of two waves of enlargement in 1995 (Sweden and Finland) and 2004 (Poland, Lithuania, Latvia, and Estonia) leading to the Europeanization of the entire region. The Helsinki Convention, an international regime which had been in place long before the end of the Cold War, was complemented by transnational (policy) networks and superseded by the Europeanization of the whole region.

### ***Governance by international regimes and intergovernmental cooperation***

Governance by international regimes and intergovernmental cooperation, the first type of governance discussed here, are the traditional forms of governance beyond the nation-state. Traditionally, cross-border environmental cooperation is governed by international regimes and institutions agreed upon and coordinated by nation-states. International regimes and intergovernmental cooperation in the area of environmental policy have played an important role since the 1970s.<sup>7</sup> Nation-states are still the dominant actors; NGOs and sub-national actors are not directly involved in decision-making. In recent years, however, such organizations have obtained observer status, although decision-making is still restricted to representatives of nation-states (Oberthür et al. 2002). For this type of governance the governance mode is self-organization among nation-states combined with hierarchical implementation strategies within nation-states. This classic model presupposes a strong nation-state capable of implementing international agreements at

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<sup>7</sup> Regarding the most important international environmental regimes, see Held et al. (1999: 391 ff.), Biermann (1998), Gehring and Oberthür (1997), Young (1997), and List (1997); on the effectiveness of international environmental regimes, cf. in particular Young (1999).

sub-national level. The success of this model depends on national capacities to induce changes at sub-national level to solve existing environmental problems.

Even during the Cold War period, cooperation between nation-states across the Baltic Sea was comparatively close, particularly in the area of environmental policy (Bruch 1999: 68-69). The Helsinki Convention on the “Protection of the Marine Environment of the Baltic Sea Area”, signed in Helsinki in 1974, is an excellent example of this cooperation.<sup>8</sup> Nevertheless, up to the end of the 1980s, the situation in the area was clearly dominated by national governance and the repercussions of the Cold War. After the end of the Cold War, intergovernmental cooperation increased rapidly. Examples of intergovernmental cooperation include the Council of Baltic Sea States (CBSS),<sup>9</sup> founded in 1992, which aims to strengthen cooperation and coordination between the countries in the region; and Vision and Strategies Around the Baltic 2010 (VASAB 2010),<sup>10</sup> an intergovernmental program of the countries in the Baltic Sea Region in the area of spatial planning and development.

### ***Governance by transnational policy networks in the Baltic Sea Region***

Governance by transnational policy networks, a new type of governance, has emerged in recent years. Such policy networks incorporate actors from government, business associations, NGOs, and local government organizations (LGOs). In contrast to the first type of governance discussed above, such networks are characterized by the integration of stakeholders in policy-making. Governmental, non-governmental, and sub-national actors play similar roles within such transnational policy networks, because all actor groups are involved in decision-making and policy implementation. The mode of governance changes because this kind of self-organization encompasses different actor groups. The change in decision-making results in the adoption of a different implementation model. Implementation is not restricted to national governmental regulation, but depends upon the initiatives of sub-national and non-governmental actors.

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8 For general information on HELCOM, see Ehlers (2001), Swedish Ministry of the Environment (2000), Poutanen and Melvasalo (1995), and Kindler and Lintner (1993).

9 For further information on the CBSS, see Stalvant (1999), and Hubel and Gänzle (2002).

10 For recent developments and further information on VASAB 2010, see, for example, VASAB (2001), and Görmar (1997).

In the early 1990s, the massive environmental problems in the former socialist countries became obvious and reached the regional political agenda. Therefore, major regional cooperation efforts focused on environmental policy and sustainable development. International and intergovernmental cooperation increased rapidly during this period. In 1996, four years after the Rio Summit, the Council of Baltic Sea States (CBSS) finally initiated an integrative and participatory Agenda 21 process for the whole region (Baltic 21) which encompasses various policy sectors (such as agriculture or transport) and involves a large number of stakeholders.

### ***Governance by transnational networks in the Baltic Sea Region***

The emergence of governance by transnational networks, another new form of governance, is not directly related to international cooperation between nation-states, as it is a form of governance excluding (national) governmental actors. In the case of transnational networks, decision-making takes place in network organizations of non-governmental and sub-national actors. This mode of governance can be characterized as the self-organization of such actors. The implementation of internal decisions among civil society actors or networks of local authorities depends on internal network governance. Since hierarchy cannot be adopted as an internal mode of governance, new governance instruments such as benchmarking have been developed and applied.

The emergence of numerous transnational networks in the Baltic Sea Region after the end of the Cold War is striking. Development in this region appears to be more dynamic than in other parts of Europe. A variety of transnational civil society organizations (e.g., the Coalition Clean Baltic, Social Hansa, etc.), economic organizations (e.g., Baltic Sea Chamber of Commerce Association), or sub-national organizations (e.g., the Union of the Baltic Cities) were founded after the end of the Cold War, developed very successfully, and have begun to influence other governance types in the Baltic Sea Region. Self-governance by transnational networks developed as one of the new modes of governance and prompted a fundamental change of governance in the region.

### ***Governance by the European Union***

European integration replaced national governance by multi-level governance causing political actors to interact across the different levels of government. This development even encompasses the establishment of direct relations between the European Union as a supranational body and networks of local and regional actors

such as the Union of the Baltic Cities (UBC), a phenomenon typical of EU multi-level governance (cf. Jordan 2001: 200).

The European Union has increasingly become a very important actor in the Baltic Sea Region. The Europeanization of the region gained momentum after the end of the Cold War, with the third EU enlargement in 1995, when Sweden and Finland joined. Another wave of integration and convergence started in the region when the European Union agreed to its fourth and latest, the Eastern, enlargement. EU influence increased during the pre-accession phase of the fourth enlargement, which ended in May 2004 when the three Baltic Republics and Poland became full EU member states. So, within the last 10 to 15 years the situation in the Baltic Sea Region has changed completely; in the late 1980s the EU had no presence in the region because Denmark and West Germany were the only EU members at that time.

The Baltic Sea can be considered as a link between old and new EU member states. Today, the governance of the Baltic Sea Region is becoming more and more embedded in European multi-level governance. It is already evident that most governmental and non-governmental actors in the Baltic Sea Region orient themselves towards Brussels. This situation supports the convergence of all national initiatives around the Baltic Sea towards sustainable development. The EU developed its own approaches and policy instruments for the Baltic Sea Region, for instance, funding programs such as INTERREG or TACIS. Today, EU regulations and EU funding shape the socio-economic and political development of the whole region.

**Table 1**  
**Types of Governance beyond the Nation-state in the Baltic Sea Region**

| <i>Governance by</i>                                   | <i>Examples</i>                                       | <i>Actors and modes of governance</i>                                                                                                                      |
|--------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| International regimes<br>Intergovernmental cooperation | Helsinki Convention<br>Council of Baltic Sea States   | Governmental actors<br>Self-organization of nation-states<br>Hierarchical implementation strategies within nation-states                                   |
| Transnational policy networks                          | Baltic 21                                             | Governmental, non-governmental, and sub-national actors<br>Self-organization of different actor groups<br>Participatory implementation                     |
| Transnational networks                                 | Union of the Baltic Cities,<br>Coalition Clean Baltic | Non-governmental and sub-national actors<br>Self-organization of non-governmental and sub-national actors<br>Implementation by internal network governance |
| Supranational institutions                             | European Union                                        | EU as actor<br>European multi-level governance<br>Implementation by nation-states and the recipients of EU funding                                         |

### 3. The Transnationalization of the Baltic Sea Region

#### 3.1 Governance by International Regimes: The Helsinki Convention

In the countries neighboring the semi-enclosed Baltic Sea insight into the necessity of joint efforts was gained at a comparatively early stage. The process for establishing a common framework for environmental protection in the Baltic Sea Region started with two conferences in Visby (Sweden) in 1969 and 1970. However, the situation opposed the establishment of an international agreement between countries from the two antagonistic blocs. Closer regional cooperation in this area only became possible after the *rapprochement* of the two Germans.<sup>11</sup> Thus, Finland

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<sup>11</sup> This was a result of Foreign Minister/Chancellor Willi Brandt's *Ostpolitik* (eastern policy), which pushed for political and practical rapprochement towards the German Democratic Republic (GDR), and culminated in the signing of the *Grundlagenvertrag* (Treaty on the Basis of Intra-German Relations) in December 1972.

offered to host a conference for the protection of the Baltic Sea at the Stockholm Conference on the Human Environment in 1972. One year later, in May 1973, a multinational expert meeting convened in preparation for the “Diplomatic Conference on the Protection of the Marine Environment of the Baltic Sea” in Helsinki. In March 1974, the “Convention on the Protection of the Marine Environment of the Baltic Sea Area” — commonly referred to as the Helsinki Convention — was signed by seven states<sup>12</sup> (Fitzmaurice 1992: 47-50). The ratification process ended in 1980 and the Convention came into force in May of that year. In the context of the Convention, it was decided that a governing body be created, so the Helsinki Commission (HELCOM) was established (Bruch 1999: 73). In 1992, the Convention was revised, updated (e.g., concerning the list of harmful substances), and broadened in scope (e.g., now also encompassing inland waters, coastal zone management, and biodiversity), making it more appropriate to the new political situation in the Baltic Sea Region after the fall of the Iron Curtain. The new convention was signed by all of the nine states<sup>13</sup> that border the Baltic Sea and by the European Community. It is a legally binding international treaty.

The Helsinki Convention is exemplary in character. During the Cold War era, it stood out as a shining example of East-West cooperation and a symbolic exercise in peaceful co-existence. Furthermore, apart from its geopolitical significance, it was the first framework convention to encompass all aspects of the maritime environment and its protection,<sup>14</sup> and it remains outstanding in its scope today (Bruch 1999: 159). The Helsinki Convention regulates pollution “from land or coast, waterborne or airborne, originating from the operations of ships, from pleasure craft, from sea bed activities, or from any other heterogeneous disposal at sea of wastes or other matters” (Fitzmaurice 1992: 53). In terms of general principles it incorporates the precautionary and the polluter-pays principles, promotes best environmental practices and best available technologies, environmental monitoring (of emissions), and the avoidance of risks (to health and the environ-

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12 The signatories were Denmark, Finland, the Federal Republic of Germany, the German Democratic Republic, Poland, Sweden, and the USSR.

13 Signatories to the revised Helsinki Convention of 1992 included all of the original contracting parties, with the reunited Germany legally succeeding the former FRG and GDR, plus the newly independent Baltic states, Estonia, Latvia, and Lithuania.

14 Previous agreements existed, which focused on specific aspects of maritime pollution sources, however, the Helsinki Convention was the first comprehensive treaty (cf. Bruch 1999: 70 and 72).

ment).<sup>15</sup> In addition, the contracting parties commit themselves to implementing national protection measures and to engaging in international cooperation. Thus, they “individually or jointly take all appropriate legislative, administrative or other measures to prevent and eliminate pollution” (responsibility principle).<sup>16</sup>

The Helsinki Commission (HELCOM) is responsible for the coordination of intergovernmental activities. It is supported by a secretariat in Helsinki. The Commission meets annually and also holds occasional ministerial meetings. Chairmanship rotates every two years among the contracting parties in alphabetical order. HELCOM recommendations are adopted unanimously and, although not legally binding, they must be taken into account in national legislation and environmental programs. The purely advisory nature of HELCOM’s decisions has not proved an obstacle in the past. Instead, what has emerged is that national capacities (financial resources, in particular) and political will are the decisive factors for implementing HELCOM resolutions (Bruch 1999: 93). In addition to the signatories, 18 international non-governmental organizations have observer status in HELCOM. These include the International Council for Local Environmental Initiatives (ICLEI), the Union of the Baltic Cities (UBC), Coalition Clean Baltic (CCB), and the World Wide Fund for Nature (WWF).

There are five working groups responsible for the handling of particular problems or sources of pollution.<sup>17</sup> The Commission and its working groups manage 17 different projects, ranging from the maintenance of databases on hazardous substances and the development of measures for the preservation of the sturgeon population to reviewing the risks posed by oil spills. The Monitoring Group (HELCOM MONAS) and the Land-based Pollution Group (HELCOM LAND) publishes a report on the overall pollution load of the Baltic Sea every five years.

Of particular interest is the “Programme Implementation Task Force” (PITF), responsible for the coordination of measures and activities in connection with the “Baltic Sea Joint Comprehensive Environmental Action Programme” (JCP). This program sets the environmental management framework for the long-term

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15 <<http://www.helcom.fi/helcom.html>> accessed on 19 September 2004.

16 <<http://www.helcom.fi/helcom.html>> accessed on 19 September 2004.

17 The working groups are HELCOM MONAS (Monitoring and Assessment Group), HELCOM LAND (Land-based Pollution Group), HELCOM MARITIME (Maritime Group), HELCOM RESPONSE (Response Group), HELCOM HABITAT (Nature Conservation and Coastal Zone Management Group).

restoration of the ecological balance in the Baltic Sea.<sup>18</sup> The JPC was established (together with the revised Helsinki Convention) in 1992 as the implementing agent whose task it is to reduce the Baltic Sea's pollution load; the JCP's mandate will run for 20 years. In terms of measures prescribed by the JCP, the emphasis is on investment in environmentally friendly technologies and the elimination of so-called "hot-spots" in the region. The elimination of the 132 identified pollution sources (hot-spots) is an issue of primary importance.

HELCOM PITF projects often require cost-intensive investments (technology and infrastructure), on the one hand, and the collaboration of stakeholders, on the other. Accordingly, the PITF consists not only of representatives from the contracting parties to the Helsinki Convention, but also of spokespersons from international financial institutions, and governmental and non-governmental organizations.

In 2000, the PITF started to organize regional workshops, convening stakeholders (national, regional, and local authorities, owners of hot-spots, international financial institutions, and NGOs) for the purpose of developing plans of action and allocating financial resources to tackle pressing environmental problems in designated areas. Workshops were held in most of the Baltic Sea states up to 2002, and HELCOM attributes a generally positive cost-benefit ratio to the workshops (HELCOM 2001: 14). Between 1992 and 2001, 26 municipal and industrial hot-spots were eliminated mainly through closures or production cuts at industrial plants. This number increased to around 50 in the intervening period, because further hot-spots were eliminated.

The initiatives of the Helsinki Convention since the early 1980s and the approximately 200 recommendations issued by HELCOM since then have contributed in particular and substantially to the improvement of the maritime environment in the region. The main achievements can be seen in the reduction of emissions and hazardous substances by at least 50%<sup>19</sup> (primarily due to the elimination of hot-spots), the adoption of stricter regulations for industrial emissions, the enactment of new legislation for the prevention of pollution by maritime traffic, the implementation of measures to avert illegal oil spills, and the improvement of

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<sup>18</sup> <<http://www.helcom.fi/helcom/groupstaskforce/helcompitf.html>> accessed on 19 September 2004.

<sup>19</sup> These statistics were provided by HELCOM itself (cf. <<http://www.helcom.fi/pollution/hazardous.html#achievements>> accessed on 19 September 2004).



regional environmental monitoring and assessment. However, many sources of contamination remain, which are still polluting the Baltic environment with nutrients and hazardous substances. Intensive agriculture, inadequate municipal and industrial wastewater treatment facilities, oil spills, and industrial discharges still pose major threats to the Baltic environment (VanDeveer 1999: 13; HELCOM 2002: 1, 15).

HELCOM has extended its activities significantly over the decades. It received much praise for its solid cooperation in environmental matters, but its expansion in this area also prompted criticism from NGOs who blamed HELCOM for being “too large, expensive, and slow to act” (VanDeveer 1999: 13). Around 40 to 50 meetings per year, which often lasted for several days, consumed much of the participants’ time and resources. This has been a serious hurdle to smaller NGOs’ ability to participate, and it may explain why only larger, international NGOs and other umbrella organizations are represented in HELCOM.

The most important obstacle to environmental policy implementation is probably the lack of capacities in the transition states. In these states, a combination of public sector performance deficits and a generally lower-level awareness of environmental problems places serious constraints on policy implementation. HELCOM recognizes that some progress has been made, for example, in the Baltic States, but fundamental problems remain to be resolved in Russia. Thus, to be effective, HELCOM must adopt a three-dimensional approach that focuses on capacity building with respect to human resources (training of personnel), development of the public sector (reforming bureaucracies and institutions), and raising of public awareness (VanDeveer 1999: 10). HELCOM has acknowledged the need for these priorities and is focusing its PITF efforts in this direction.

In order to avoid unnecessary duplication of tasks,<sup>20</sup> HELCOM has recently made efforts to harmonize and consolidate its regulations and activities with those of other international regimes and organizations. HELCOM is currently working to bring its recommendations into line with OSPAR<sup>21</sup> resolutions and recommendations. In 2000, a joint Baltic 21/HELCOM working group was established to

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20 <<http://www.helcom.fi//helcom/projectsmeetings.html#harmonisation>> accessed on 19 September 2004.

21 “The Convention for the Protection of the Marine Environment of the North-East Atlantic”, short OSPAR Convention, replaced the Oslo and Paris Conventions and entered into force in 1998 (cf. <<http://www.ospar.org>> accessed on 19 September 2004).

coordinate the often overlapping activities of both organizations. Finally, HELCOM has begun to try to harmonize its regulations with EU regulation — an aim that is becoming increasingly more significant.<sup>22</sup>

HELCOM's enhanced cooperation with the non-governmental sector, particularly in project-based collaboration, is a sign of a shift in its policy: the inter-governmental level alone is no longer recognized as sufficient for the successful implementation of environmental policy. To create awareness, legitimacy, and acceptance of decisions requires the participation of societal actors. HELCOM's gradual opening up to civil society actors and other stakeholders represents a response to this requirement and marks the advent of a relaxation, to some extent, in the strict hierarchical order of this international regime which has heretofore dealt exclusively with governmental actors.

### **3.2 Governance by Transnational Policy Networks: Baltic 21 — An Agenda 21 for the Baltic Sea Region**

Transnational policy networks have a different structure than international regimes insofar as such networks involve a variety of actors ranging from nation-states to civil society. Policy networks can facilitate cooperation between different partners in a certain policy field, e.g., sustainable development, by promoting a common agenda. Equality among the participating stakeholders is a prerequisite and acknowledges the importance of all participating levels for the successful implementation of the policy agenda.

The formation of Baltic 21 was initiated as a result of the adoption of Agenda 21 at the United Nations Conference on Environment and Development in Rio de Janeiro in 1992. Baltic 21 was an initiative of the Council of Baltic Sea States (CBSS); the heads of state and governments of CBSS member countries decided together with the EU on the development of a regional Agenda 21 for the Baltic Sea Region. The Agenda process was officially launched in 1996. A wide range of actors were involved in drafting sectoral reports as part of the development of the Agenda's program. These reports constituted the background for the Baltic

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<sup>22</sup> To this end, a Joint Ministerial OSPAR/HELCOM Conference on the Protection of the Baltic and North-East Atlantic was held in Bremen, Germany in 2003 (HELCOM Press release, 5 June 2003; *Umwelt*, 9/2003: 498 f.).

Agenda 21, which was adopted by the CBSS Foreign Ministers two years later (see Baltic 21, 1998: 4).<sup>23</sup>

The Agenda initiative involves all countries surrounding the Baltic Sea (plus Norway and Iceland). The process is supported by a small secretariat in Stockholm that operates as a unit of the CBSS Secretariat. It has two staff members plus a consultant for specific priority projects. Procedural steering is carried out through the Senior Officials Group (SOG) that comprises some 40 parties,<sup>24</sup> including representatives from national ministries, the European Commission (DG Environment), intergovernmental organizations (e.g., HELCOM, the International Baltic Sea Fishery Commission, or Vision and Strategies Around the Baltic 2010), international financial institutions, (e.g., the European Bank for Reconstruction and Development or the World Bank), international sub-state and city networks (e.g., the UBC or ICLEI), international business networks (e.g., World Business Council for Sustainable Development, International Chamber of Commerce), international academic networks (Baltic University Programme), and international environmental non-governmental organizations (e.g., Coalition Clean Baltic and the WWF).

The wide range of representatives in the SOG reflects one of the principles adopted by the Agenda process, namely, to be inclusive and open.<sup>25</sup> Despite this aim, however, civil society representatives are largely outnumbered by governmental and other institutional actors. Further, the SOG presidency rotates (every two years) only between countries and the EU. The SOG plenum elects a chairperson to head, and representatives from four countries to operate its Bureau, whose task it is to assist the SOG Chairperson and Secretariat. At present, the members of the Bureau are all government representatives from ministries.

Baltic 21 strives to assist the countries of the Baltic Sea Region in their efforts to achieve sustainable development; but primary responsibility lies with the states themselves, who must ensure that the Baltic 21 goals are streamlined in accordance

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23 Information concerning the organizational structure, working program and activities within the framework of Baltic 21 can also be found on the official website: <<http://www.baltic21.org>> accessed on 19 September 2004.

24 <<http://www.baltic21.org/?organisation,2>> accessed on 19 September 2004.

25 Any organization which is active in at least half of the Baltic 21 countries, which has competencies in a relevant field, and which is willing to contribute to the Agenda process can become a member of the SOG; see <[http://www.ee/baltic21/network/sog\\_membership\\_criteria.htm](http://www.ee/baltic21/network/sog_membership_criteria.htm)> accessed on 19 September 2004.

with national policies (Baltic 21 2003: 8). Baltic 21 is designed as a long-term project for sustainable regional development. The time frame for Baltic 21 is five years, but the entire process is projected for a duration of 30 years, and it will go beyond environmental protection, encompassing the economic and social spheres as well. Seven sectors of the economy — namely, agriculture, energy, fisheries, forests, industry, tourism, and transport — and, since 2000, education have been identified as priority areas for planned collaborative activities in accordance with the Baltic 21 Action Programme. Cooperation was also established in the area of spatial planning. The Baltic 21 Action Programme (which complements the strategic part of Baltic 21 and which was adopted at the same time) lists thirty potential activities, primarily related to structural development and enhanced regional cooperation.

For each sector or area of priority, indicators were established, goals and time-frames set, and plans of action developed. The supervision of each sector or area is the responsibility of one or two SOG members, so-called “Lead Parties”. All of the Lead Parties are countries or intergovernmental bodies like the International Baltic Sea Fishery Commission (IBSFC).

In June 2003, the periodic report of 2003, “Baltic 21 Report 2000-2002: Towards Sustainable Development in the Baltic Sea Region”, was released, which reviews and evaluates the Baltic 21 activities up to that time.<sup>26</sup> According to this report, measures taken in the various sectors include assessment studies, networking between responsible or affected regional actors, and the development of guidelines or concepts (e.g., for fisheries or forestry). Other sectors such as industry and tourism have concentrated on the promotion of environment-friendly production or certification schemes. All sectors have been active in trying to establish links between respective stakeholders and in promoting exchange (see Baltic 21, 2003: 11-20). The report specifically mentions 11 real projects which have been implemented so far under the auspices of Baltic 21<sup>27</sup>; these projects deal with concrete problems in the industrial sector (9 projects), spatial planning (1),

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26 For further information on the achievements of Baltic 21 see also the periodic report of 2004, “Five Years of Regional Progress Towards Sustainable Development: A Baltic 21 Report to the Prime Ministers of the Baltic Sea States”.

27 “A project is considered labeled as a Baltic 21 project when it complies with the Baltic 21 objectives and has been [formally] adopted ..., i.e. has received a letter of understanding, expressing the Baltic 21 endorsement of the project, by the appropriate sector meeting or by the SOG or its Bureau.” <<http://www.ee/baltic21/projects.htm>> accessed on 3 June 2003.

and transport (1). Funding for these activities has been provided mostly by national agencies and governments, EU structural funds (INTERREG IIIB, PHARE, LIFE), and the business community.

In addition to the sectoral activities, Baltic 21 is also involved in “Joint Actions” (JAs), targeting cross-sector issues. At present there are seven such actions, each of which has one responsible actor who initiates and manages the common activities (see Baltic 21, 2003: 1-2). The picture concerning the implementation of JAs is equally mixed: while some are still only developing, others have already embarked on the implementation of their agenda. For example, JAs 3 and 5, “Demonstration Areas and Pilot Projects” and “Procurement of Technologies”, have not gone beyond an initial screening process for the evaluation of potential for future actions, while JA 4, “City Co-operation and Sustainable Development Issues in Cities and Communities”, is considered particularly successful. The joint initiative is coordinated by the Union of the Baltic Cities (UBC). Building on its ongoing work in the area of environmental cooperation at local level, the UBC completed 11 cooperative projects between 2000 and 2002; these activities were carried out within the UBC’s own “Agenda 21 Action Programme” and involved three quarters of its member cities. The projects encompassed different approaches to sustainable urban development, for instance, environmental management or best practice exchange. The 2003 Baltic 21 assessment report refers to this success and the UBC’s contribution to the integration of Baltic sustainability initiatives into similar processes at European and international level. Consequently, Baltic 21 (2003: 23) demands that resources for activities be transferred from national to local level.

The first Baltic 21 Biennial Report (2000) mainly noted that activities were still in an initial kick-off phase one-and-a-half years after the adoption of the Agenda. The 2003 assessment report paints a mixed picture of developments. Generally, however, it is not over-enthusiastic about the achievements of the Baltic Agenda process. Acknowledging the general goodwill of all parties, it acknowledges differences between sectors: progress has been made in energy, fisheries, industry, and spatial planning. Some progress was noted for forestry, and a “good start” recognized for Baltic 21 activities in education; tourism, agriculture, and transport lag behind. Agriculture, tourism, and fisheries were identified as notoriously not well-sustained sectors where much action is still required. Thus, the fact that the 2003 report identifies two of these problematic sectors as belonging to the group of laggards in Baltic 21 must be interpreted as a special challenge. In terms of the

main obstacles to the success of Baltic 21, the report identifies a lack of commitment in some of the responsible ministries (Baltic 21, 2003: 4-5). Since the overall success of the Agenda largely depends on resources provided by nation-states and measures implemented by them, this is a crucial factor. The report concludes that sufficient resources and organizational stability are what paved the way for progress in the successful sectors.

The influence of states and civil society in the Baltic 21 process is not evenly balanced. Nation-state representatives hold the most influential posts and, intentionally or not, secure their influence by contributing most of the funding. This could be for practical reasons (e.g., capacity and legitimacy); nevertheless, it prevents other sub-national or civil society stakeholders from gaining more influence. Furthermore, the present leadership is dominated by a small number of older EU member states. Given that Baltic 21 claims to be an all-inclusive process, giving equal status to all participants, it must overcome this bias in order to become as democratic and open as stated in its Agenda. The 2003 Baltic 21 report also addresses these issues and draws some substantial conclusions. It demands the general revision of Baltic 21's mandate, visions, and indicators. The report acknowledges the inherent conflict of objectives between economic development and environmental goals, and identifies greater involvement in European and international sustainability processes as a solution.<sup>28</sup> A new strategy for the Baltic 21 process was proposed in spring 2004, with the vision to pursue sustainable development in the Baltic Sea Region by regional multi-stakeholder cooperation. Moreover, this proposal emphasizes the strengthening of cross-sectoral work and the development of a selected set of "Lighthouse Projects" which are designed to ensure high visibility and engage as many participating countries and sectors as possible in proving the added value of sustainable development (*Baltic 21 Newsletter* 1/2004, p. 5; Baltic 21 press release 6 April 2004).

The institutional arrangements for Baltic 21 differ substantially from the traditional forms of international governance (international regimes, intergovernmental cooperation) because the Agenda process is based on a concept of broad stake-

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28 Baltic 21 has already taken some initial steps in this direction by contributing to the World Summit on Sustainable Development in Johannesburg, contributing to the European Environmental Ministers Conference in Kiev ("Environment for Europe Process") in 2003, and by reaching out to initiate cooperation with the Euro-Mediterranean Region and the United States (Baltic 21, 2003: 24).

holder participation including governmental (plus the EU) as well as non-governmental actors. This is certainly due to its origin in Agenda 21, which also emphasizes the broad participation of non-governmental and sub-national actors. Baltic 21 has been especially successful in areas where local actors became directly involved, for example, in the area of city cooperation in the framework of Joint Action 4 which was carried out by the Union of the Baltic Cities.

### **3.3 Governance by Transnational Networks: The Union of the Baltic Cities**

In recent years, many transnational networks have emerged in the Baltic Sea Region, giving rise to new forms of governance beyond the nation-state. Cooperation is not restricted to civil society actors, but also encompasses collaboration between sub-national actors, that is, networks of cities and regions, which are often neglected in this context. In contrast to “governance by transnational policy networks” discussed above, “governance by transnational networks” is not limited to the involvement of non-governmental or sub-national actors in decision making or implementation. Emphasis is put on the fact that transnational networks “govern” their members and that policy convergence among their members can be achieved through new modes of internal network governance, which do not require governmental actors for decision making or implementation. Therefore, “governance by transnational networks” is a form of private governance “without the nation-state”.

With the decrease in national sovereignty and growing limitations placed on national steering capacities, European municipalities’ scope for action is increasing. This means that towns and cities have the opportunity to enter the European and international political arena and develop into global players. Their participation is often actively supported by international and supranational bodies such as the European Commission, thus creating new “glocal”<sup>29</sup> governance arrangements beyond the reach of nation-states, consequently further undermining national authority. At the same time, policymaking in municipalities is affected by global change (e.g., environmental challenges) and by decisions taken at supranational and international level. Thus, the international and transnational involvement of

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<sup>29</sup> The term “glocal” is a combined expression stemming from “global” and “local”. It has become a catchword used to describe new governmental arrangements excluding nation-states and directly linking the local and international — i.e., global — level.

municipalities is imperative. Networking and collective articulation of interests is more essential than ever for actors at local level to make their voices heard in European or international contexts. Consequently, a large number of such organizations have been established since the late 1980s (Kern 2001).<sup>30</sup>

In line with similar international trends advanced political integration (through the EU in particular) obviously produces, in sum, post-national structures, which (1) facilitate and (2) require collaboration at sub-national level and across borders. These networks are generally characterized by a horizontal, polycentric, and non-hierarchical structure.

Cooperation among cities around the Baltic Sea<sup>31</sup> displays specific features related to the long-standing tradition of their relationships. In this case, too, the collapse of the Iron Curtain was the impetus for the revival of transnational relations. For example, the first free municipal elections in Poland in June 1990 provided Polish cities with new authority and legitimate self-governance. Thus, on the initiative of the mayors of Gdansk and Kalmar (in Sweden), a conference was held to establish an association of cities in the Baltic Sea Region. Then, in September 1991, the “Union of the Baltic Cities” (UBC) was founded in Gdansk by 32 cities from 10 countries around the Baltic Sea. The UBC was set up as a general network, offering a platform and a “tool” for the activities and interests of its members “in a wide spectrum of spheres of interest”. The UBC considers itself primarily as an advocate of its members’ interests and “for the Baltic Sea Region as such” (UBC 2001: 4).<sup>32</sup>

The UBC’s membership has more than tripled since its founding and, today, the organization has over 100 members, with almost 90% of the founding members still participating. One possible, major reason for this dynamic development is that the UBC follows the tradition of the old Hanseatic League and is therefore probably particularly attractive to many former Hanseatic cities. A remarkable fact

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30 The Europe-wide network “Eurocities” was founded in 1986 on the initiative of Rotterdam, Barcelona, Frankfurt am Main, Milan, and Lyon. Regional networks of cities and towns were created in the Mediterranean and Alpine regions in 1991 and 1996 respectively; on “Medcities”, see <<http://www.medcities.org>> accessed on 19 September 2004; on the “Alliance in the Alps”, see Amor (1998 and 1999), Behringer (2003), and <<http://www.alpenallianz.org>> accessed on 19 September 2004.

31 On networking between cities in the Baltic Sea Region, see Groth (2001), Vartiainen (1998).

32 On the Union of the Baltic Cities, see also Kern (2003), Lindström/Grönholm (2002), UBC (2001), Engström (1998), and Wohlgemuth (1998).



about the UBC is that cities from older EU member states and those from the newer member countries which have just recently acceded to the EU (formerly “transition states”) are quite evenly represented. The fact that the UCB was launched as a Swedish-Polish initiative was probably an important determinant in this respect. Moreover, joining the UBC was principally motivated not by specific characteristics<sup>33</sup> of the municipalities involved (especially size), but rather by their sense of belonging to the Baltic Sea Region.<sup>34</sup>

The UBC’s organizational differentiation is highly developed. Its most important organs are the General Conference (which meets biannually), the Presidium (president and two vice presidents), the Executive Board, the Secretariat,<sup>35</sup> and ten commissions. The commissions cover the entire range of (transnational) urban policy: (1) business cooperation, (2) culture, (3) education, (4) environment, (5) health and social affairs, (6) information society, (7) sports, (8) tourism, (9) transportation, and (10) urban planning. In addition, there are networks that fulfill cross-sectional functions, among them the Local Agenda 21 Network and the Women’s Network. An attempt is now being made to coordinate the activities of the commissions. To this end, regular meetings are held between commission chairs and the Executive Board.

Although the UBC is not a network specializing in environmental issues, the sustainability principle was incorporated as a goal in its Statute and its Strategy.<sup>36</sup> Thus, sustainable development is considered as one of the UBC’s key policies. The Commission on Environment (EnvCom) was one of the first commissions established in the UBC. EnvCom meets annually; it is the central body for implementing strategies associated with sustainable development. In addition to this, the UBC also has a cross-sectional “Agenda 21 Working Group” whose task it is to

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33 Size and population are not exclusive criteria for entry into the UBC, as is the case with other municipal associations. In fact its members include very small towns like Bützow in Mecklenburg-Western Pomerania in Germany (population: 9,400) and Kärddla in Estonia (population: 4,100), as well as the largest cities in the Baltic Sea Region, namely, St. Petersburg (population: 4,730,000), Riga (population: 790,000), and Stockholm (population: 740,000).

34 A glance at the statutes of the UBC shows that selection requirements are very liberal, as “[a]ny coastal city of the Baltic Sea and its Gulfs as well as any other city interested in the development of the Baltic Sea Region may become a Member City of the Union.”

35 The UBC Secretariat is located in Gdansk; it was financed by that city from the outset.

36 See UBC Statute, Articles 1, 2 c and 2 f (UBC 2004: 93), <<http://www.ubc.net/statutes.html>> accessed on 11 November 2004. Concerning the UBC Strategy, sustainability is mentioned several times; see, for example, the section devoted to the “UBC Agenda 21 Action Program” (UBC 2004: 98), <<http://www.ubc.net/strategy.html>> accessed on 11 November 2004.

coordinate UBC Member Cities' Agenda 21 activities; the Working Group convenes two to three times a year. EnvCom and the Agenda 21 Working Group are both open to any and all interested UBC Member Cities. EnvCom and the Agenda 21 Working Group are administered through a secretariat in Turku, which, thanks to third-party project funding (in particular from the EU and the Nordic Council), is better equipped than the UBC Secretariat in Gdansk.

In its initial phase, the UBC functioned mainly as an initiator of cooperation between the cities of the Baltic Sea. The primary task in this context was to establish contacts and create a basis for collaboration. The municipalities in the post-communist countries lacked basic equipment in fundamental sectors (schools, hospitals, transport, etc.) and their means of communication were often deficient; therefore, the need for assistance in these areas was pressing. The first five years of the UBC were thus characterized by concrete activities to secure direct aid. By the late 1990s, the situation of the municipalities in the transition countries had improved so much that the UBC could shift its focus to other policies and fields of cooperation. By then, the Commissions were also becoming more differentiated and targeted in their work and new Commissions, for example, for Education and Urban Planning, were established (UBC 2001: 2).

Work on the UBC's Agenda 21 strategy also began in the late 1990s. The EnvCom working together with the Commission on Health and Social Affairs and the Women's Network was highly involved in the formulation of the "UCB Agenda 21 Action Program". This program was launched at the UBC General Conference in 1999; it was updated in 2001 and again in 2003. This program contains "policies, network service and project parts as well as ... sustainability guidelines for member cities" (UBC 2002: 6). Worthy of note is that 85% of UBC Member Cities already pursue Local Agenda 21 activities on their own (Lindström/Grönholm 2002; Joas 2003). The UBC's Agenda 21 Action Program is considered to be supplementary to those activities, providing service to UBC members and coordinating their various actions. Best practice exchange is high on the agenda and promoted via workshops, seminars, twinning, and the development of European Common Indicators for Urban Sustainable Development as benchmarking tools. The "Best City Practices Project" (2000-2001) was re-launched and re-named "Transferring Best Environmental Solutions between Towns and Cities" (TBestC). TBestC's task is to pair up (twin) suitable cities for mutual policy learning in environmental protection. An award scheme, the "Best Environmental Practice in the Baltic Cities Award", complements this approach to enhance

benchmarking among member cities.<sup>37</sup> So far, eleven projects have been carried out promoting sustainability in the Baltic cities in the framework of the Agenda 21 Action Program.<sup>38</sup>

All of the aforementioned activities indicate that the UBC is actively developing and implementing innovative measures for sustainable urban development in the participating cities. It is also active in representing its members in European and international policy arenas. This includes project-based cooperation with other networks like Eurocities<sup>39</sup> as well as its involvement in the Baltic 21 process and HELCOM. In 2002, the UCB signed a cooperation agreement with Eurocities. Formalizing relations in this way is a response to the increasing need for better coordination among city networks. With the expansion of city networks, the streamlining of activities has become more important to avoid duplication and conflict, for instance, when competing for funds.

At international level, the UBC was represented at the UN World Summit on Sustainable Development in Johannesburg (2002). Further, the UBC has agreed to cooperate on a project with the “Local Authorities of Lake Victoria Region” in Africa.<sup>40</sup> Internationally, however, special emphasis is placed on links with the European Union. The UBC promotes the appointment of EU coordinators in the municipal administrations to support UBC member cities in the European policy process, because this kind of professionalism increases the chances for cities to obtain EU funding.

So far, the organization has been quite successful in attracting a balanced membership from all countries around the Baltic Sea. One problem with city networks in general, and the UBC in particular, is that they tend to attract municipalities which are already progressive, with the will and capacities to become involved in wider networks. Thus, laggard cities and towns may be left even further behind if they miss out on the opportunity to join such networks. A main concern for a regional network like the UBC is to involve local authorities from

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<sup>37</sup> The scheme began in 1999; an award is granted every other year for the most outstanding environmental practice.

<sup>38</sup> For further information on the projects, see <<http://www.ubc.net/commissions/projects/projects.htm>> accessed on 19 September 2004.

<sup>39</sup> *Baltic Cities Bulletin* 02/2002 <[http://www.ubc.net/bulletin/bulletin2\\_02/p32.html](http://www.ubc.net/bulletin/bulletin2_02/p32.html)> accessed on 9 June 2003.

<sup>40</sup> *Baltic Cities Bulletin* 01/2003 <[http://www.ubc.net/bulletin/bulletin1\\_03/p45.html](http://www.ubc.net/bulletin/bulletin1_03/p45.html)> accessed on 9 June 2003.

both ends of the spectrum — the laggards as well as the pioneers. Inclusiveness is a prerequisite for sustainable regional development.

The UBC is, without a doubt, a good example of successful transnational (self-)governance beyond the nation-state. Furthermore, it displays in an exemplary fashion the novel features of such network organizations in maintaining transnational relations at local level combined with an active outreach towards the European level. The increasing Europeanization of the UBC becomes apparent upon closer examination of the UBC Environmental Commission's budget, which reveals that most of its projects are funded from EU resources (UBC 2003: 111 f.).<sup>41</sup> This is clear evidence for the Europeanization of this transnational network.

#### **4. The Europeanization of the Baltic Sea Region**

All governance types discussed show the increasing importance of European governance in the Baltic Sea Region. The European Union has become a central actor in environmental governance and sustainable development in this region. Although it may not be a dominant actor in all respects, the EU's position in decision making has been strengthened; it plays a prominent role in creating frameworks and standards, targeting the achievement of policy integration, and promoting certain policies through targeted funding.

The role of the European Union in governance in the Baltic Sea Region is determined by the development of European environmental policy. In the early years,<sup>42</sup> European environmental policy was based on a command and control approach, and executed via regulative policies (e.g., setting European standards and defining limits). Over the past three decades European environmental policy

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<sup>41</sup> This tendency is not restricted to the Environmental Commission, although this Commission is the most active and has been the most successful regarding project acquisitions.

<sup>42</sup> In 1973, the heads of state and government assigned the then European Community certain competence in the field of environmental policy. With the Single European Act (SEA) (1986) European environmental policy was given a legal basis. Successively, with the Treaties of Maastricht and Amsterdam, European competence was further extended. With the Treaty of the European Union (TEU) Qualified Majority Voting became the regular decision-making procedure in the Council of Environmental Ministers. For more details on the development of European Environmental Policy see Sbragia (2000: 296 ff.), and Hildebrand, Wilkinson, and Jordan (2002: 13 ff.).

has developed into a “context-based” and integrated policy concept involving new instruments, including the participation of a wider group of stakeholders. The former top-down process has become more diffuse, reflecting the multi-layered nature of the European political system (cf. Jordan 2002; Knill 2003).

Four aspects relevant to this development are of particular interest in the context of this paper. The first of these is “subsidiarity”, one of the EU’s prime governance principles. This principle<sup>43</sup> requires the EU to become active only if subordinated (national and sub-national) levels are not sufficiently equipped to respond to particular challenges or to implement certain policies. As a result, the incorporation of other, i.e., sub-national, levels of government into policy formulation and implementation has proven necessary for successful policy implementation.

The subsidiarity principle is closely related to the next point: the obvious implementation deficit in the area of European environmental policy. The debate about how to address this shortfall corresponds to similar ones at the national level. Despite all efforts, the EU has only been partially successful in implementing its environmental policy. A gap remains between administrative capacities and structural deficits in the member states (particularly in the case of the new members). This sometimes makes it difficult to put EU legislation into practice at local and regional level. The more institutional change is required for compliance with EU policies, the less likely effective policy implementation becomes. These problems can only be resolved if a wide range of stakeholders is included in the policy process. The success of environmental policy depends on the “positive mobilization ability” (Knill 2003: 190) of affected and responsible actors. This insight opens the door to previously marginalized non-state actors from industry and civil society, and paves the way for new governance arrangements (Knill 2003: 192 ff.).

Third, as a new EU objective, policy integration (Jordan and Lenschow 2000, Lafferty and Hovden 2003) is highly relevant to the achievement of sustainable development in the Baltic Sea Region. With respect to the horizontal dimension, this strategy affects the integration of sectoral policies such as energy, transport, and agriculture. However, policy integration also has a vertical dimension because

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43 The principle of subsidiarity was first legally established in the SEA only for the field of environmental policy. The TEU subsequently extended this principle to all policy fields.

it “requires coordinated responses from *all* levels of government in the EU — European, national, regional *and* local” (Jordan and Lentschow 2000: 111).

Fourth, in the White Paper on European Governance (European Commission 2001), the EU aims at creating more openness, participation, coherence, and effectiveness. It calls for the active involvement of local and regional authorities, and for a more systematic dialogue with representatives from these levels through national and European associations. Thus, the Commission intends to shape policies more flexibly and, hence, responsive to “regional and local conditions” (European Commission 2001: 4). The Commission recently proposed holding dialogues prior to formal decision making. This would concern not only civil society actors but also associations of regional and local authorities.<sup>44</sup> Although the concepts and proposals of the European Governance White Paper are certainly not new, they provide the EU with strategic governance guidelines for actual politics and policies, for the first time. For practical relevance guidelines still need to be translated into the EU policy concepts in a coherent way.

All of these four factors are relevant to the governance of sustainable development in the Baltic Sea Region. In contrast to the Helsinki Convention’s international environmental policy approach, which was developed 30 years ago, Baltic 21 as a sustainable development strategy covers seven economic sectors as well as education and spatial planning. In addition, it encompasses Joint Actions targeted at local-level implementation. Thus, the trends that can be observed in the Baltic Sea Region correspond with the overall development of EU policy.

In addition to its direct involvement in policymaking, the EU was of particular importance to the new member countries in the pre-accession process. These countries were required to adopt the *acquis communautaire*, that is, to draft and implement new legislation compliant with EU standards, and to shape their policies to fulfill the conditions for EU membership. These measures and requirements represented a new foundation for environmental protection in these countries and throughout the entire Baltic region. Although the new member states still have much to catch up on, the EU has already begun to revamp its policies.

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44 Cf. Communication from the Commission: Dialogue with associations of regional and local authorities on the formulation of European Union policy, COM (2003) 811 final, 19 December 2003.

In addition to its direct involvement in policymaking, the EU was of particular importance to its new member countries in the pre-accession phase. These countries were required to adopt the *acquis communautaire*, that is, to draft and implement new legislation in compliance with EU standards and to shape their policies accordingly, to fulfill the conditions for EU membership. These new requirements and measures created a new foundation for environmental protection in the accession countries and throughout the entire Baltic region. Although the new member states still have a lot of catching up to do, the path is irreversible. By joining the EU policymaking machinery, the new member states will be pushed forward. The role of the EU Commission, which has already changed and become more significant over the past several years, will continue to change. In some countries — for the Baltic Sea Region this applies especially to the new member states — environmental awareness is sorely lacking; there are only a small number of civil society groups concerned with environmental issues, and opposition to new environmental initiatives is strong. Hence, the positive mobilization required for successful environmental policy is often hindered by local conditions.

The EU also targets the special needs of the northern regions of Europe, in particular, through the “Northern Dimension”. This program and its “Action Plan” are typical examples for the EU Commission’s new policy strategy. The Northern Dimension was first established for the years 2000 to 2003, and renewed for the period from 2004 to 2006. It covers the EU’s northern neighbors (Poland and the Baltic countries being new EU members) and focuses in particular on Russia. Among other policy areas, it addresses and promotes, cross-border cooperation and environmental policy,<sup>45</sup> pursuing a multi-stakeholder approach. The Northern Dimension relies on the willingness of partners; in its Second Action Plan, it calls for the inclusion of a wide range of stakeholders (including NGOs and local authorities) and sets soft targets (e.g., monitoring and reduction of environmental pollution by toxic substances). The Second Northern Dimension Action Plan 2004-2006 outlines projects and areas of action in the annex, but delegates the details and specific activities to other actors.<sup>46</sup> For example, the plan calls for the implementation of the “Baltic Sea Joint Comprehensive Environmental Action Programme” and signifies that cooperation with Russia is the

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45 With respect to Russia, nuclear safety is also a priority area.

46 Second Northern Dimension Action Plan, 2004-2006, COM (2003) 343 final.

dominant strategic goal. The Northern Dimension itself will, in turn, be redefined in the context of the new neighborhood policy, the 2003 “Wider Europe” strategy.

The EU has created a number of different regional policy instruments for projects in the Baltic Sea Region. These programs include INTERREG, TACIS, and PHARE, for cross-border cooperation in particular, and LIFE for the environmental dimension. Each program has unique responsibilities, and targets specifically different groups of actors, countries, and projects. EU financing of projects in the Baltic Sea Region is done primarily with EU structural funds. Under the Northern Dimension umbrella, international financial institutions set up the Northern Dimension Environmental Partnership (NDEP), which is supported by a special fund designated for environmental cooperation, in particular, with Russia. Whereas the recipients are highly appreciative of these resources, anger is also widespread about the bureaucratic application procedures and the incompatibility of various instruments. HELCOM, Baltic 21, and UBC projects are funded through other EU programs.

The three case studies have shown, therefore, that the European Union is directly involved in decision making as a stakeholder: it is a signatory of HELCOM, it was involved in the initiation of Baltic 21 and, as an SOG member, it remains a partner in the Baltic 21 process. The European Union is generally responsive to the needs and challenges of sustainable development, on the one hand, and to European governance, on the other. It tries to address these goals by means of new governance arrangements and by assigning a greater role to non-state actors and, to a certain extent, by mainstreaming their involvement in the policy process. However, the soft policy approach taken by the EU on certain issues, for example, within the Northern Dimension, could also be questioned. Therefore, in some areas, a regulative approach promises better outcomes. Sustainable development needs a broad base of support at all levels of government. In this respect the integrative approach of Baltic 21 seems to fit very well into the overall European strategy.<sup>47</sup> The European approach of using a combination of “old” and “new” instruments can generally be considered to be on the right track, although it is not as successful as it could and should be. Despite the shortcomings, however, the

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<sup>47</sup> This is not very surprising because Baltic 21 as well as the EU’s strategies for sustainable development are based on Agenda 21.



EU is a relevant actor, an important partner, and an influential promoter of sustainable development in the Baltic Sea Region.

## **5. Conclusions: Transnationalization versus Europeanization of the Baltic Sea Region**

Based on the analysis of the different types of governance in the Baltic Sea Region, it is now possible to conclude that nation-states are not obsolete and will continue to play an important role in the sustainable development of the region. However, national governance has its limits and new forms of governance beyond the nation-state are crucial for the future development of the region. The general development can be characterized by both, the transnationalization and the Europeanization of the Baltic Sea Region.

With regard to the traditional mode of governance beyond the nation-state, that is, international regimes, the most striking difference between the situation in the 1980s and the present situation is the strong position of the European Union within this international regime. The question remains as to the extent to which nation-states are willing to grant stakeholders access to decision-making. HELCOM clearly shows that stakeholders are not fully integrated into policy formulation, which remains under the authority of the nation-states (and the EU). This can be considered as typical for an international regime created 30 years ago. Even so, it is also obvious that HELCOM has been undergoing considerable change: governmental actors increasingly seek support from non-governmental actors for specific projects, particularly at local and regional level (e.g., the elimination of “hot spots”). This means at least that non-governmental actors are gaining in significance in the area of regime implementation.

In contrast to HELCOM, Baltic 21 was designed as a multi-stakeholder network from the outset. The need for the broad participation of all relevant groups was recognized as essential for the success of the Baltic-type Agenda 21, which is directly related to Agenda 21 as adopted in Rio de Janeiro in 1992 and which stresses multi-stakeholder approaches for all Agenda 21 processes. Thus, the emergence of a new governance approach — that is, a transnational policy network — would seem to have been triggered primarily by international developments. The fact that Baltic 21 was the first regional Agenda 21 process can be explained by the unique situation that prevailed in the Baltic Sea Region at the end

of the Cold War. The region was in flux from the early 1990s onward, and, as a result, innovative approaches like Agenda 21 had a better chance of coming to fruition there. Nevertheless, deficits remain, which concern not only the general goals, but also the multi-level approach taken by the Agenda. On the one hand, nation-states (and the European Union) clearly dominate the Baltic 21 network: important positions are assigned to representatives of national governments. On the other hand, Baltic 21 projects appear to be most successful when carried out by actors like the UBC which have particular competences and expertise in specific fields. The implementation of Agenda 21 is impeded by its strong reliance on national capacities, which are not evenly distributed among the countries in the region. The lack of national capacities may be compensated by the capacities of transnational non-governmental actors, and Baltic 21 could become more successful through the even greater integration of actors like the UBC.

Networks like Baltic 21 and the UBC can develop capacities and instruments for implementation that cannot be created through intergovernmental cooperation alone. This fact should be emphasized with regard to local environmental policies in particular. By choosing the sustainable development of the Baltic Sea Region as an important goal for its organization, a general network organization such as the UBC can foster the understanding of these issues among its various member cities. The UBC has developed a transnational identity of its own and has stronger ties with Brussels than with the national capitals in the region. By providing hands-on support and service for their member cities, a transnational network such as the UBC can complement the traditional modes of governance adopted by nation-states — that is, international regimes and intergovernmental cooperation. However, nation-states may be reluctant to support such transnational networks, because the latter could affect and weaken the position of the former.

Our study clearly shows that new governance arrangements are influenced by the European Union, which has become a strong political player in the Baltic Sea Region, mainly through its direct involvement in international decision making (HELCOM, Baltic 21), through European regulations (especially via directives) which aim at national governments, and through the funding of selected projects. Since sustainable development needs a broad base of support at all levels of government, Baltic 21's integrative approach seems to fit very well into the overall European strategy. Moreover, the EU has started to cooperate directly with transnational networks like the UBC and most of the funding for the UBC Environment Commission's projects is provided by the EU. The influence of the EU has

been increasing steadily, and organizations like the UBC have become players in the European multi-level system and developed strong ties with Brussels.

In summary, it can be concluded that the achievement of sustainable development in the Baltic Sea Region undoubtedly requires a productive combination of national governance and new forms of governance beyond the nation-state. In this respect, transnational policy networks, such as Baltic 21, and transnational networks, such as the UBC, represent promising new approaches that can complement the traditional cooperation between nation-states via international regimes or intergovernmental cooperation. Moreover, the governance of the Baltic Sea Region is becoming more and more embedded in European governance, which will lead to the Europeanization of the Baltic Sea Region.

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Appendix

