

Zuzanna GÓRSKA, Gdańsk University, Poland

CONSUMPTION OR FRUGALITY – NEGOTIATING A PACKAGING WASTE MANAGEMENT MODEL FOR POLAND

1. Consumption and Frugality Paradigms in Environmental Waste Policy-making

The rapid advance of consumer lifestyle is causing a fundamental change in the daily behaviour of people around the world. Over just a few generations we have become car drivers, television watchers and throw-away buyers. "Consumption is one of the Gods in the trinity of issues which characterize the contemporary world, together with population growth and technological change. But consumption is the most neglected, not receiving as much attention as the latter ones" [Durning, 1992]. It is because talking about consumption requires us (people in general, but above all the richest one fifth of the globe) to question our lifestyles and to challenge the all-pervasive notion of the more, the better.

In the consumption society the rate of the replacement of goods has become one of the main indicators of the social status of a particular individual. Thus, an increasing amount of waste is a "necessary" side effect for the proper functioning of the economic system. At the same time wealth in the most developed societies is expressed more by the replacement of goods than by the goods themselves [Pardo, 1997]. The replacement of goods is central to the current economic system and to our consumption culture.

Mass consumption depends on mass distribution, which in turn depends on packaging. Packaging is estimated to constitute nearly half of all municipal waste by weight. Over two thirds of packaging in the USA is now used to protect food and beverages. It is also estimated that in the UK about 90% of food packaging bought by an average family each week is thrown away after a single use [Pardo, 1997].

The law tries to address the problem of increasing waste generation at different levels. Observably, the solution most commonly proposed in this case is introducing measures which aim at establishing the recycling targets to be achieved by states. To explain this common agreement on the environmental character of recycling one can use several interpretations.

Profitable business: The first explanation of the "popularity" of the recycling paradigm refers to the fact that waste becomes a profitable business. Availability of advanced waste processing technologies, together with the tax system, create an attractive niche for businesses. What is characteristic however, is that even the most advanced tools introduced to protect the environment against waste respect the primacy of business priorities, like the (the European environmental policy premise) – the polluter pays principle can be interpreted: "if you pay you are allowed to pollute". From an environmentalist's perspective the result of this management is questionable, as it is exclusively an "end-of-the-pipe-line" solution, which does not affect the stream of material (to recycle waste you have first to produce it).

Sharing responsibility: Recycling can also be interpreted as having the aim of including citizens and making them co-responsible for the generation of waste. Although the real waste generators are industries, they refuse sole responsibility for waste, as they are more aware of the economic dimension of the problem that may affect them. By including citizens, industries are gradually absolved from the responsibility for actual waste generation. That is why mainstream discourse and public waste policies have been built around citizen's responsibility for generating wastes (the "taxpayer pays principle").

Ecological dimension: The third explanation comes from the increasing environmental awareness among people. By segregating waste in households people may feel that they actually contribute and help to solve the waste problem. In fact, despite its global inefficiency, recycling is in any case more environment friendly than other waste management systems, such as landfill or incineration.

Finally, we reach the crucial point in the conceptualisation of the environmental dimension of recycling. Recycling *does not question the system of production and consumption* and therefore as a symbol can satisfy many parts (the state, industrial sector, producers, consumers).

Unfortunately, it seems that our activities in the field of waste management have not yet reached an ecological dimension on a global or local scale. Waste minimisation, either by not producing or by reusing it (which is different from recycling) has not received much social atten-

tion. Reuse policies, either as raw materials or as a second hand final product, are still at the lowest level of social recognition.

2. Shortage Economy and Waste – Did Experience with Communism Influence Waste Management in the CEE Countries?

Presently, waste management models all over the world suffer from their reluctance to address the real cause of the waste problem – that is consumerist lifestyle. Subsequently, this model does not want to address the most important symptom of the problem – the constantly growing stream of raw materials. The consequence is the world-wide overestimation of the pro-environmental character of recycling activities.

The situation in Central and Eastern European (CEE) Countries is worth being mentioned in this context for several reasons. First, these countries share some characteristics with the poor, underdeveloped states from the South as to their experience in “temperance” habits (in a sense this notion was defined by Hardin [1968]). The communist reality included a widespread collection of recyclable materials, which was to a significant extent influenced by politics and ideology.¹ Subsequently, in the European post-communist countries there has been a relatively short period of the domination of the consumerist ideology (however, this ideology is presently *exceptionally* aggressive in these states).

On the other hand, these countries are situated in the core of the affluent 1st world, its history, culture and ideology and have the prospect of joining it in the near future in the sense of the process of the Eastward enlargement of the EU.

These circumstances – a mix of environmentalism of the poor (survival) and environmentalism of the rich (enhanced quality of life) make the case of the European post-communist countries an interesting example to study prospects for working out a really environmentally-sound waste management model by using experience in the practice of temperance of the poor countries, together with the advanced technology and environmental consciousness of the rich countries. The problem is which part of this experience will be used – hopefully not something like the ideology of war and threat, together with over-mechanization.

¹In official communist propaganda collection of recyclable materials was presented as necessary because of the need to economize. This need did not have environmental underpinnings but was rather justified by the alleged economic threats connected with competition with capitalist states. Therefore, just after the breakdown of communism segregation of waste had negative social connotations.

3. The Law and Waste in Transition

In the process of looking for a successful solution to the problem of waste it is necessary to study the legal regulation of waste and waste management. The law can be regarded as a tool to enforce a concrete ideology regarding environmental protection. These ideologies, from anthropocentric to environmentally-sound ones, are interrelated with social attitudes towards waste.

Changes in legal regulations in the post-communist times reflect changes in these social attitudes. On the one hand there is significant growth in environmental consciousness. On the other – this consciousness is rather influenced by postmaterial “quality of life” values and the hope for capitalist governance solving the waste problem.

The importance of environmental law has grown significantly during the transition period (the last 12 years). As Jendrońska [1996] indicates, the environmental problems of the communist government in Poland were not caused by the absence of environmental legislation, but rather by over-regulation whose framework was inconsistent and not enforced. However, in general waste was regulated by administrative law which had no environmental ambitions. Under communist rule waste regulation was probably not as important as presently. The rates of production of waste were lower (especially in the case of plastic waste) and the rates of waste recovery, reuse and recycling higher than any 1st World environmentalist could dream about. Selected waste was collected by a state-owned enterprise, OPSW Regional Enterprise for Recyclable Materials (Okręgowe Przedsiębiorstwo Surowców Wtórnych). The enterprise was created just after the II World War and fell into decline at the beginning of the 1990s. The enterprise used to buy segregated waste from anyone who wanted to sell it (the present private enterprises like ZSW – Zakład Surowców Wtórnych, buy materials exclusively in large quantities and only from other enterprises).

OPSW used to sell selected waste to industrial plants and also processed it itself, having a significant level of production of recycled goods.² These products were not of a high quality (according to present standards), but the numbers look significant. Additionally, the amounts of plastic, paper, glass or rubber collected by OPSW were far higher than today.

²According to the study of the OBREM Research Centre of Urban Ecology (Ośrodek Badawczo-Rozwojowy Ekologii Miast) in Łódź, in 1984 OPSW produced 144 t of yarn, 3,200 t of cardboard products, 216,000 mattresses, 128,000 pillows etc. [History of Waste Collection in Poland – Poradnik Ekologiczny dla Samorządów 2/96].

The change in the economic system came and the position of the environmental agenda was supposed to change as well. However, after the breakdown of communism Environmental Law was still taught as a non obligatory course, which was rarely chosen by students (the time period 1995–2000). Up to the present day, there has been no Chair of Environmental Law at any Faculty of Law in any Polish university.

As to the legal regulation of waste, since 1989 there have been no qualitative or quantitative limits for producing waste. There were no financial or legal mechanisms imposing a duty of organising recycling on industries or local authorities.³ Consequently, the present problem with waste is not a surprise. After the breakdown of communism, recycling hardly existed in Poland. From 1992 the amount of packaging supplied to the market has risen by 50% and it is now expected to rise at a rate of 2–3% per year. This data does not include the import of packaging [www.otzo.most.org.pl/produktowe/index.html]. The destruction of the widely spread and deeply embedded habits of waste segregation and re-use among people should also be mentioned.

So we come to the late 90s when the process of accession negotiations is speeding up and Poland faces the requirement of implementing the EU *acquis communautaire*, if it wants to become a member state of the EU. Among the environmental *acquis* there is Dir. 75/442 on Waste and Dir. 94/62 on Packaging and Packaging Waste. This is the moment, where the old, unattractive, “communist” recycling practice makes its new “European” appearance.

For the post-communist countries the problem with the environmental *acquis* lies in the cost of its implementation. The adjustment of environmental infrastructure to EU standards is, together with restructurisation in the agriculture sector, the most expensive challenge for Poland. The following problem is that the Government plans to allocate the burden of implementation and the resulting costs to the local authorities.

In this context, two problems are worth consideration. First, the government’s wish to burden local government with the implementation of the waste *acquis* does not bode well. It is enough to take into account the problems with the decentralisation reforms in Poland related to the transfer of competencies and financial sources from the central to the local government. According to European Commission Progress Reports [www.euractiv.com] government administration in general, but especially

³The Parliament Bill on Packaging and Packaging Waste, which came into force on 01.01.2002 and is supposed to implement the requirements of EU Directive 94/62/EC, is the first legal initiative in the area of recycling policy. This bill introduces maximum levels for the recovery and recycling of plastic waste (50% and 42%) to be achieved by 2007.

at the regional and local level, is still a matter of serious concern regarding all the EU candidate countries.

The small chance of successful implementation of the environmental acquis by local government is correlated with social attitudes towards the environment, as well as expectations concerning the improvement of environmental protection in Poland. According to recent public polls, these expectations have risen significantly regarding the environmental performance of local government. Therefore, there is a need to comment on the shape of environmental concern in the form it took before and after the breakdown of communism.

4. Social Expectations and Waste in the Transition Period

The first research polls in environmental awareness and the social problems of environmental protection were conducted in Poland in the 80ties [Gliński, 1988; Hull, 1984].⁴ Their results allowed the formulation of the first, introductory and incomplete diagnosis of the state of environmental awareness in Polish society [Burger, 1992].

The results of these research projects can be divided in 2 groups. Some of the results were the same as those of research projects conducted in other countries (like the EU Member States):⁵

– There was little correlation found between reported concern for environmental problems and environmentally responsible behaviour of the respondents [Gliński, 1988].

– Tangible values were considered more important than abstract ones – the quality of drinking water was considered more important than biodiversity [Ibid.]. (In the 1980s biodiversity was probably a more abstract problem than at present).

The following two conclusions of the research projects conducted in Poland in the 1980s are in my opinion specific to societies under communism:

– The character of environmental awareness was found to be determined by individual experience – people gained knowledge of environmental problems from their own experience. According to the research

⁴There were various types of research – expertise and monographs of environmental movements, complex research and research in which environmental issues were only one of several themes, analyses of famous environmental social conflicts.

⁵I mean that these findings are not specific to Polish society, but rather commonly reported in research on environmental awareness. See, for example, REAP which measured environmental consciousness in 5 EU Member States (Italy, the Netherlands, GB, Ireland, Germany). [Research into Environmental Attitudes..., 1995, 3].

report, a coal miner from polluted Upper-Silesia might know more about ecology than a medical doctor from Warsaw). This was an obvious consequence of the lack of environmental education and information in the communist countries [Ibid.].

– Environmental performance of the authorities was evaluated negatively and distrustfully. The state was frequently experienced as hostile and alien in its attitude towards citizens [Ibid.].

On the other hand, environmental issues under communist rule were evaluated as deeply politically influenced.⁶

How has environmental consciousness changed after the breakdown of communist systems and over 10 years of “democratic transition”? On the one hand, environmental consciousness, like other elements of social consciousness, is lasting and does not change quickly. On the other hand, during the last 10 years Polish society’s environmental consciousness has faced revolutionary transformations in almost all areas of social life. According to the report of the Institute for Sustainable Development entitled “The Polish society’s environmental consciousness at the beginning of the XXI century” [Burger, 2000], which is the only in depth research conducted on this issue, the most characteristic features of Polish environmental consciousness are:

Localism. According to the authors the results of the public polls indicate a significant growth in social expectations regarding to the environmental performance of local government, while such expectations do not exist with regard to the central administration. Subsequently, where we compare evaluations of efficiency of the environmental performance of different actors (municipality, voievoda (governor of the province), parliament, the government) the municipality’s performance is the most positively evaluated. This tendency to locate hopes for successful environmental protection in a local setting is reinforced by growing social belief in the opportunities for improving the state of environment by regional development.

Environmental Euro Hopes. The second dimension of current social environmental consciousness is an expectation of the improvement of environmental protection by Poland’s accession to the EU. Almost half of the respondents (47%) believe that joining the EU creates an opportunity for improvement. However, and this is a very meaningful observation, according to the research results, these hopes are not associated

⁶On the one hand, environmental activity of informal environmental groups (140 groups in 1989 [Gliński, 1996]) was a relatively safe area of struggle with the communist system. On the other hand, since the 1970s, environmental information was the subject of strict censorship, since it was seen to oppose the propaganda of success [Burger, 1995].

with EU financial help. Rather, people believe that the EU environmental requirements will put pressure on the Polish central and local authorities to improve their unsatisfactory performance in the area of environmental protection.

In the post-communist countries the environment was destroyed both by communist over-industrialization and post communist deregulation. Presently, in the context of EU accession, EU law appears as the last hope for these countries to improve the state of the environment and the most advanced legal tool to protect nature. However, is EU accession an opportunity for the greening of the post-communist countries? In the case of waste management there is a need to examine to what extent the EU Waste Law agrees with environmental postulates.

5. The EC Environmental Waste Law – What are its Priorities?

The environmental agenda is widely recognized at the international level. However, it is environmental regulation enforced by the EU which inspires real hopes for improving the role of law in serving as a tool to protect nature. These hopes are related to supranational character and direct applicability of the EC (European Communities) law. The EC environmental standards may not be satisfying from the perspective of environmentalist's demands, but at least there are some prospects for their implementation in the EU Member States.

European environmental law and policy is deeply and obviously embedded in an environment that is orientated by economic objectives. Nonetheless, it seems that this law claims to respect an ideological model of waste treatment, which refers not only to economy but also to ethical considerations. For example, EC environmental law explicitly sets a kind of hierarchy of various kinds of waste treatment. This hierarchy reflects the EU model of ethical waste management.

First, I intend to present the regulatory framework for waste management as it is constructed by EC law. Then I want to examine the ethical dimension of this law from the perspective of its conformity to environmental demands, with special attention to the interplay of reducing-reusing-recycling policy models.

The regulatory framework presented below refers to EC standards concerning packaging waste.

– The Community introduced its first measures on the management of waste in the early 1970s (Framework Directive 75/442 on Waste). This directive assigns to the member states the tasks of reducing the quan-

tity of wastes and of encouraging recycling. The directive requires member states to establish a general system of authorization and supervision of waste disposal operations (Art. 5) and to draw up waste management plans (Art. 7).

– In the area of packaging waste the first regulation took place in the 1980s. Directive 85/339/EEC covered containers of beverages intended for human consumption. This environmentally ambitious (at least for that time) project was initially directed at promoting the use of refill packaging. However, this idea caused vigorous protests from the packaging and beverage producing industries and trade groups. Finally, the directive was presented in 1981 (after nine drafts and 6 years of preparation) [Eichstadt et al., 2000, 4] in a form too vague to bring about the effective harmonisation of national policies in the area of beverage containers.

– In the 1980s and 1990s the member states started to introduce their own national recovery and recycling schemes that aimed to cope with the growing proportion of packaging in the domestic waste stream. It was the case that a lack of coherent waste regulation caused serious problems related to the internal market.⁷ Therefore, the European Commission started preparations for a directive concerning all packaging and packaging waste – the Directive 94/62 on Packaging and Packaging Waste. This Directive aims to harmonize national measures, in order to prevent or reduce the impact of packaging and packaging waste on the environment and to ensure the functioning of the internal market. The directive contains provisions on the prevention of packaging waste, on the re-use of packaging and on the recovery and recycling of packaging waste. Member states were required to set minimum targets for the recovery and recycling of packaging waste to be achieved by 30 June 2001 within the range fixed by Art. 6(1). These requirements were as follows: between 50% and 65% by weight for recovery; between 25% and 45% by weight for recycling; and a minimum of 15% by weight of recycling per packaging material.

Subsequently, the Member States had to ensure the creation of an infrastructure for the return and/or collection of used packaging and/or packaging waste from the consumer and for the re-use or recovery of the packaging and/or packaging waste which had been collected.⁸

– The experience with the existing Directive for Packaging and Packaging Waste was positively evaluated. Consequently, in 2001 the European Commission proposed new targets for waste recovery and reduc-

⁷The so-called “Danish Bottle Case” and German Packaging Decree 1991. See Mumma [1995, 117] and Eichstadt et al. [2000, 4].

⁸Art. 7(1) Dir. 94/62 on Packaging and Packaging Waste

tion of the existing distortions to Internal Market and competition.⁹ The new targets are as follows:

Recovery and recycling	2001 targets	2006 targets
Overall recovery	50–65%	60–75%
Overall recycling	25–45%	55–70%
Material-specific recycling:		
Glass	15%	60%
Paper + board	15%	55%
Metals	15%	50%
Plastics (mechanical and chemical recycling only)	15%	20%

Source: The EU Commission Proposal for a Directive of the EU Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste COM(2001) 729 final 2001/0291 (COD) Brussels, 07.12.2001.

According to the EU waste management hierarchy, prevention is a policy preference. This preference follows from the EC Treaty and refers to the whole of the Community's environmental policy.¹⁰ Subsequently, the priority character of prevention as an option in waste management is reinforced by the following EC acts:

– The preamble of the Directive 75/442 on Waste indicates that: “the recovery of waste and the use of recovered materials should be encouraged in order to conserve natural resources”.

– In a “Community Strategy for Waste Management” (1989)¹¹ the EC Commission established the following order of priorities to be followed in relation to waste: prevention; recycling and reuse; optimising and final disposal; regulation of transport; remedial action.

– This hierarchy was re-adopted in the Council Resolution of 7.05.1990 on Waste Policy.¹²

⁹The EU Commission Proposal for a Directive of the EU Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste COM (2001) 729 Final 2001/0291 (COD) Brussels, 07.12.2001

¹⁰Art.130S (new art. 174) of the EC Treaty “Community policy on the environment shall aim at a high level of protection and shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source”.

¹¹Communication from the Commission to the Council and the Parliament, SEC (89) 934 Final, 18.09.1989).

¹²OJ No. C 122 18/05/1990.

The preamble of Directive 94/62 on Packaging and Packaging Waste indicates that: "life-cycle assessments should be completed as soon as possible to justify a clear hierarchy between reusable, recyclable and recoverable packaging".

6. Environmentalism or Economy?

The principles mentioned in Section 5 are collectively known as the "waste management hierarchy" in EC law. However, at the same time the EC waste management model is subordinated to other principles, which modify its pro-environmental orientation.

– Non-binding character of the waste treatment hierarchy. EC law does not impose any obligation to follow specified hierarchy of waste treatment options (prevention first). The requirement of waste prevention is imposed on the member states merely in the form of a requirement to take "appropriate measures" to "encourage" the prevention or reduction of waste production.¹³ EC law does not impose any mandatory measures for waste prevention, which would reduce the production of waste or the import of packaging or packaging waste [Alder and Wilkinson, 1999].

– Prevention – understood only as dematerialization in production not in consumption. Most EC laws which deal with waste prevention define this notion merely as dematerialization in production. In this case dematerialization is understood as taking steps to ensure that packaging is manufactured so that its volume and mass are limited to the minimum. (that means to prevent or reduce the harmfulness of waste).¹⁴ The reasons for the tendencies mentioned above is simple. Both waste prevention and waste reduction affect the production and consumption of goods. Therefore, they affect economic growth.

– Respect for free trade provisions. In various rulings the European Court of Justice has ruled that waste has to be regarded as a good that is subject to the principle of the free movement of goods [Eichenstadt et

¹³Art. 3 of Directive 91/156 amending the Framework Directive on Waste.

¹⁴„Packaging shall be so manufactured that the packaging volume and weight be limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer" [Art. 9 (1) and Annex II (1) of Directive 94/62 on Packaging and Packaging Waste]. "Member States shall take appropriate measures to encourage: (a) firstly, the prevention or reduction of waste production and its harmfulness, in particular by: [...] the technical development and marketing of products designed so as to make no contribution or to make the smallest possible contribution [...] to increasing the [...] harmfulness of waste and pollution hazards" [Art. 3 of Dir. 75/442 on Waste].

al., 2000, 3].¹⁵ Subsequently, the core of the problem with introducing measures preventing waste is that we immediately face the problem of respect for the EC law provisions on free trade. Such measures are acceptable, as long as they are compatible with Treaty provisions of free trade. These provisions limit the possibility of introducing too high standards, in order to prevent unnecessary waste and, consequently, prohibit measures that “discriminate” the import of products which do not adhere to these standards.¹⁶

When the first regulations on the management of packaging waste were introduced (Directive 85/339 on containers of beverages),¹⁷ some EC member states introduced measures aimed at reducing the environmental impacts of packaging and packaging waste. For example, they introduced recycling schemes that provided funding for collection and recycling. Consequently, serious problems with the internal market appeared when cheap secondary materials from these countries appeared on the markets of other member states where no such schemes were in place. That was why the Commission was approached to introduce comprehensive legislation on packaging that will not cause problems in the internal market. Therefore, Directive 94/62 on Packaging and Packaging Waste has two equivalent aims – preventing the impact of waste on the environment and ensuring the functioning of the internal market.¹⁸

The case of the German Packaging Decree is a famous example of discrepancies between economic and environmental priorities in EC law. In 1991 Germany introduced the Packaging Decree which established high recycling and recovery targets. This Directive did not permit the incineration or landfilling of certain categories of packaging waste in Germany. As a lot of this waste could not be re-used, recycled or recovered, it was exported to other countries (including EC countries, which cannot ban exports from another EC state) at very cheap prices. Consequently, the internal recycling industries in these countries were unable to compete with subsidized German packaging waste. Therefore,

¹⁵ See for instance the Region of Wallonia case, *Commission v. Belgium* ECR (1992) I-4431]C-2/90.

¹⁶ „Quantitative restrictions on imports and all measures having equivalent effect shall, without prejudice to the following provisions, be prohibited between member states” – European Court of Justice in the “Danish Bottle Case”.

¹⁷ OJ No. L 176, 6.7.1985, 18. Directive as amended by Directive 91/629/EEC (OJ No. L 377, 31.12.91,

¹⁸ The EU Commission Proposal for a Directive of the EU Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste COM(2001) 729 final 2001/0291 (COD) Brussels, 07.12.2001.

EC ministers met in October 1993 to work out a solution. In the end, Germany promised to stop exporting plastics to other EC countries. They also promised to reduce their recycling targets and to allow incineration [Mumma, 1995, 117].

As a consequence, Directive 94/62 on Packaging and Packaging Waste introduced such limitations as maximum recovery and recycling targets. Member states are not permitted to set these targets higher than the maximum target allowed, if that would lead to distortions of the internal market.

7. EU Enlargement – an Opportunity Chance for Polish Waste?

Summarizing, EC law is firmly adhered to pro-liberal, pro-consumerist objectives. Presently, EC waste law tends to be built up from the lower end of its own hierarchy of waste management options. The most complete legal regulations concern recycling and waste disposal, while regulations concerning the prevention of waste (even in the narrow sense adopted by the directives) are the most vague and incomplete. Although recycling and recovery targets have been successfully introduced and implemented in the EU countries, the problem of waste does not seem to be solved. The amount packaging supplies and packaging waste are expected to rise constantly at the rate of several per cent per year.

In this context, the situation of the candidate countries does not look good. In these countries the rates of production and import of waste are rising very quickly. At the same time waste management systems do not exist or have a limited range. Social hopes regarding the "positive influence" of EU standards in the area of waste management on the performance of central and local authorities are justified. However, these expectations cannot ignore the fact that EU standards have not solved the problem of the cumulating amount of waste in the rich, western countries. After EU accession, the CEE countries will become the poorest EU Member States. They will bear extremely high social, economic etc. costs of accession. Taking this problem into account, all of them have negotiated numerous transitional periods in the area of environmental standards in order to delay their implementation. In this context, we will have to wait for several years for any prospect of an improvement in waste management in CEE countries. What is ironic is that not long ago in these countries not long ago the rates of waste recovery were higher than those imposed by EC law. Maybe this experience is worth reconsideration in two directions – first, to work out an alternative waste

management model for candidate countries, while they wait for the implementation of EC law. Subsequently, to provide arguments for a critique of EC environmental standards in order to improve them. While not denying the chance of a very positive environmental influence of EU accession in the case of Poland, such a critique of EU environmental policymaking remains relevant and needs reconsideration.

Literature

- Alder, J.; Wilkinson, D., *Environmental Law and Ethics*. London: Macmillan Press LTD, 1999.
- Burger, T., "Świadomość ekologiczna: między lękiem a działaniem", *Raport InE*, 1. Warszawa, 1992.
- Burger, T., "Konflikt i współdziałanie. Świadomość ekologiczna i postawy społeczeństwa", in: Mirowski, W. (ed.), *Świadomość ekologiczna i społeczne ruchy „zielonych” w Polsce*. IFiS PAN, 1999.
- Burger, T., "Polish society's environmental consciousness at the beginning of the XXI century", *Report of the Institute for Sustainable Development*. Warszawa, 2000.
- Communication from the Commission to the Council and the Parliament, SEC (89 934 Final, 18.09.1989).
- Directive 75/442 on Waste. OJ (75)L 194.
- Directive 85/339/EEC on containers of liquids for human consumption. OJ No L 176, 6.7.1985.
- Directive 91/629/EEC. OJ No L 377, 31.12.91.
- Durning, A., *How much is enough? The Consumer society and the future of the Earth*. London: Norton & Company, 1992.
- Eichstadt, T. et al., *Packaging Waste: The Euro-level policy making process*, final report for TEP (Technological and Environmental Policy) project European Commission Framework Programme IV (1994–1998). Berlin: Ecologic, 2000.
- Gliński, P., "Świadomość ekologiczna społeczeństwa polskiego – dotychczasowe wyniki badań", in: *Kultura i Społeczeństwo*, 3, 1988.
- Gliński, P., *Polscy Zieloni*. Warszawa, 1996.
- Górka, K.; B. Poskrobko; W. Radecki, *Ochrona środowiska – problemy społeczne, ekonomiczne i prawne*. Warszawa: PWE, 1995.
- Hardin, G., "The Tragedy of the Commons", in: *Science*, 162, 1968.
- History of Waste Collection in Poland – Poradnik Ekologiczny dla Samorządów 2/96.
- Hull, Z., "Świadomość ekologiczna", in: *Aura*, 10, 1984.
- Jendrośka, J., "Drafting the new environmental law in Poland – radical change or merely reform?" in: Winter, G. (ed.) *European Environmental Law. A Comparative perspective*. Dartmouth, Aldershot, 1996.
- Mirowski, W. (ed.), *Świadomość ekologiczna i społeczne ruchy „zielonych” w Polsce*. IFiS PAN, 1999.
- Mumma, A., *Environmental Law. Meeting UK and EC Requirements*. London: McGraw-Hill, 1995.
- OJ No. C 122 18/05/1990.
- Pardo, M., *The waste society. Some elements for a social theory of waste in modern societies*, paper presented at ISA Conference, Research Committee 24, 1997.
- Research into Environmental Attitudes and Perceptions EU Contract EV5V-CT-92-0172COMPASS. Mannheim, 1995.

The EU Commission Proposal for a Directive of the EU Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste COM (2001) 729 final 2001/0291 (COD). Brussels, 2001.

www.euractiv.com, European Commission Progress Report November 2000 (Overview of environmental issues), 1 March 2002.

www.otzo.most.org.pl/produktowe/index.html, Department of Recycling of National Chamber of Commerce.