

PARADIPLMACY IN CROSS-BORDER ENVIRONMENTAL CONFLICTS: EXAMPLES FROM THE DISPUTES OVER THE TURÓW MINE

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Abstract: This paper examines how subnational actors shape cross-border environmental conflicts through paradiplomacy, using the Turów lignite mine disputes at the Czech-Polish-German border. Specifically, the study addresses the agency of regional and municipal authorities in the Czech-Polish and German-Polish strands of the Turów conflict and cross-border bodies. The paper combines desk research, qualitative content analysis, observation, and semi-structured interviews with key actors. The study shows that subnational agencies mattered in both disputes, but with different pathways. On the Czech side, the Liberec Region and allied municipalities or NGOs, with government support, helped escalate the case to the EU level, contributing to CJEU proceedings and an intergovernmental settlement. On the German side, Zittau and NGOs pursued administrative and EU-level complaints without the support of governmental structures, with pending litigation. Cross-border subjects provided networking but lacked the authority to mediate the conflict. The potential effectiveness of paradiplomacy was higher in Germany with mature multilevel governance than in Czechia and Poland. However, the German problem was a lack of will on the state and federal levels. These findings specify the mechanisms through which subnational actors influence cross-border environmental governance in the EU. The study identifies three basic paradiplomatic mechanisms and contributes a comparative template for paradiplomacy under legal contestation.

Keywords: paradiplomacy, international dispute, Czechia, Poland, Germany

1 INTRODUCTION

Paradiplomacy has gained increasing relevance in contemporary political geography and international relations, as subnational actors, such as regional and municipal governments, engage in cross-border interactions to influence policies traditionally controlled by nation-states. Paradiplomacy has deep historical roots but has gained renewed prominence due to expanding global connectivity. Although central and federal governments initially resisted this shift, paradiplomacy is increasingly recognized within legal and institutional frameworks by states and international or-

ganizations across diverse contexts. Regional and local governments increasingly play an essential role in resolving transnational issues in the European Union (EU), where cross-border interactions are frequent and deeply institutionalized. Academic literature has thoroughly described paradiplomacy (Duchacek, 1984; Jackson, 2017; Lequesne and Paquin, 2017; Duleba, 2024; Kočí, 2024).

One transnational case is the Turów Mine dispute, a conflict between Czechia and Poland and between Germany and Poland concerning environmental and economic fears linked to coal mining operations in Poland near the shared border. The dispute emerged due to concerns from Czech and German authorities, regional governments, and non-governmental organizations (NGOs). The Czech-Polish dispute has been extensively examined by numerous scholars from diverse perspectives (Žuk and Žuk, 2022; Boháč et al., 2023; Bembnista and Gailing, 2024; Böhm et al., 2024; Ondráček et al., 2024). The German-Polish controversy broadly follows the Czech-Polish crisis and has not been appropriately researched.

This interdisciplinary article examines the role of paradiplomacy in the disputes, focusing on the actions of regional and municipal authorities in Czechia (Liberec Region, Hrádek nad Nisou), Poland (Lower Silesian Voivodeship, Bogatynia) and Germany (Saxony, Zittau). It explores how these actors engaged in legal and political strategies to advocate for their interests, often bypassing national governments or complementing their efforts. It also studies the impact of their actions on the broader resolution process.

Building on the literature on paradiplomacy and multilevel governance (MLG) (Section 3) and on the Turów case context, this study addresses the following research questions (RQs):

- RQ1: How and to what extent did subnational actors in Czechia, Poland and Germany exercise paradiplomatic agency during the Turów disputes?
- RQ2: Through which mechanisms did they influence agendas, coalitions, and legal outcomes at national and EU levels?
- RQ3: How did the differing state architectures of MLG condition the scope and effectiveness of paradiplomacy?

The paper works with the hypothesis of the low effectiveness of paradiplomacy in the postsocialist Central Europe, where it does not have a tradition. It is expected that paradiplomacy was significantly manifested only on the communication level.

2 METHODOLOGY

This study is based on desk research utilizing secondary sources from geography, economics, and other social sciences related to the disputes. The research incorporates public administration documents, local information sources, online news, reports and webpages to bridge the research gap, especially regarding the ongoing German-Polish dispute. A content analysis (Krippendorff, 2019) of 243 documents was conducted. The actors' discourses, discursive struggles and coalitions are crucial for forming policies (Hajer, 1995). Other statements were obtained directly through

the author's participant observation at the public Czech-Polish-German conferences on Just Transition in the Three-border Region in 2023 and 2024, held in Liberec.

As the dispute was well covered by the media, four additional semi-structured in-depth interviews were conducted in relevant cross-border institutions between 2022 and 2024. Euroregional offices were chosen because of their unique cross-border view and insufficient media coverage of these institutions' positions. In the Czech part, the interview was conducted with Ondřej Havlíček, deputy executive and employee of the Liberec Region. In the Polish office, the interviewee was the Director, Tomasz Sliwa. In the German office of the ERN, the interviewee was the president of the German part and the Görlitz land district administrator, Stephan Meyer. Moreover, the Director of EGTC (European Grouping for Territorial Cooperation) Novum, Miroslav Vlasák, was interviewed. All interviewees were informed about the purpose of the research and consented to the use of their names and statements in the study. All online sources were last reviewed on May 31, 2025.

Cartographic material was prepared using ArcGIS Pro. The language and style of this paper were refined using ChatGPT for clarity and consistency.

3 THEORETICAL FRAMEWORK

This study adopts a metatheoretical stance that combines a constructivist ontology of international politics with a relational, multiscalar political geography (cf. Flint, 2003; Pouliot, 2016). Epistemologically, the text is anchored in a critical-realist orientation: material structures (energy systems, legal competences, cross-border infrastructures) constrain and enable agency, while social mechanisms (coalition-building, venue-shopping, legal mobilization) generate observable outcomes.

Classic scholarship conceptualizes paradiplomacy as the international action of non-central governments that both complements and sometimes, as a secondary foreign policy (Klatt and Wassenberg, 2017), sometimes contests official state foreign policy. Duchacek's work (1984; 1990) on perforated sovereignties showed how subnational units pierce the state's external monopoly through functional cooperation and political signaling, becoming recognizable actors in selected international domains. In federal and quasi-federal settings, this resonates with Kincaid's notion (1990) of constituent diplomacy, where federated units cultivate external relations to defend territorial interests, attract investment, or shape regulatory environments.

Hocking (1993; 1999) reframed this practice as multilayered diplomacy, emphasizing that contemporary foreign policy unfolds across interacting arenas (central, regional, municipal, transnational), where non-central governments develop actorness through professionalized administrations, issue networks, and permanent representations. Keating (1999) complements this by specifying motives, opportunities, and strategies. Subnational governments engage internationally to secure economic development, identity recognition, and policy leverage. Their strategies are conditioned by institutional opportunity structures at home (constitutional competences, fiscal autonomy) and abroad (EU venues, cross-border regimes). Building on

this canon, Lecours (2002, 2008) and Kočí (2024) stress the political uses of paradiplomacy beyond instrumental problem-solving, including nation-building and the external projection of collective preferences. Lecours and Moreno (2003) show how regions can mobilize external action to consolidate internal authority and identity. Cornago (1999) further expands the lens to international security, arguing that paradiplomacy unfolds along dimensions of conflict and cooperation.

Jackson (2017) emphasizes the importance of understanding the spatial dimensions of diplomacy, arguing that the emergence of multiple actors in international relations necessitates a reevaluation of established diplomatic norms.

According to Jönsson and Hall (2005), paradiplomacy has three dimensions:

- Representation – including economic diplomacy, cultural houses and tourism offices (offices in EU headquarters in Brussels)
- Communication – language and linguistic diplomacy, and presenting the diplomatic self (media campaigns, coalition letters)
- Socialization – with central government, co-regions and the EU bodies such as the European Committee of Regions (CoR), Euroregions and EGTCs.

Paradiplomacy has gained prominence in environmental disputes, where traditional state diplomacy might be insufficient. Therefore, local and regional governments and NGOs have sought to shape outcomes through diplomatic channels, legal actions, and transnational alliances. This phenomenon is particularly relevant in addressing transnational issues such as climate change, border security (the migration crisis in Europe), and public health crises (the COVID-19 pandemic), where local governments can act swiftly to fill gaps left by national governments. For instance, the involvement of subnational actors, representing local populations, in climate governance allows for tailored responses to local environmental challenges, which are often overlooked by national policies (Setzer, 2015).

Paradiplomacy can be incorporated into decentralized MLG. MLG consists of two basic categories (Hooghe and Marks, 2003):

- Type 1 – incorporating hierarchical levels of authority (regions, municipalities)
- Type 2 – issue-specific public, project-based cross-border coalitions of private actors (Euroregions, EGTCs).

These models coexist, reflecting the complexity of contemporary governance, with a spectrum of empirically observed forms between the two poles. The inherent overlap between Type 1 MLG and paradiplomacy has led to their occasional interchangeable use. While MLG primarily offers a structural perspective on governance-related activities, paradiplomacy provides an agency-driven explanation of autonomous diplomatic actions with significant political implications (Dickson, 2014). Also, Type 2 is not far from paradiplomacy in cases of regions or municipalities, which are members of cross-border bodies, and use their flexible channels for activities outside the hierarchy of the state. Nevertheless, pushing their agenda is ineffective, as Type 2 subjects generate soft spaces that lack coercive authority (Sohn, 2014).

4 CHARACTERISTICS OF THE REGION

The Turów lignite mine lies within a Polish territorial protrusion within the Lower Silesian Voivodeship. This spur is bordered by Czechia, specifically the Liberec Region and Liberec District, and Germany, namely the Free State of Saxony and the Görlitz District (see Figure 1).

The study area is part of the loosely defined cultural-historical Three-border Region. This region is shaped by the towns of Hrádek nad Nisou, Bogatynia and Zittau, along with the Neisse River. It is also a core part of the ERN (Euroregion Neisse-Nisa-Nysa), the oldest Euroregion encompassing postsocialist countries. The region exemplifies a socioeconomic periphery for all three nations due to its remote location and modern historical developments, including population shifts, border realignments, and economic changes. These factors, compounded by various asymmetries between the regions and countries (Boháč et al., 2023), as well as prejudices and historical grievances (Graf et al., 2015), have weakened the ideational aspect of cross-border integration (as per the dimensions proposed by Durand and Decoville, 2019). In contrast, functional and institutional integration remains quite strong.

The Turów crisis has evolved over the past five years into broader disputes involving numerous local, regional, and national actors. While Czechia and Germany continue to extract brown coal, their mines are not located in the studied region or as close to the border as Turów. The sole exception was Germany's Jänschwalde Mine, located on the Polish border, which ceased operations in 2023. Other German mines, such as Reichwalde and Nochten, are more than 10 km from the border.

The Turów Mine has been operating in its modern form since 1904, with the adjacent Turów Power Plant built in 1962 (Izidorczyk, 2022). Historically, the power plant's emissions contributed to acid rain, damaging nearby forests, but conditions improved in the 1990s due to advanced desulfurization technology. The relations between nations near the three-border point were good, and a miners' band from Turów took part in festivals behind the borders. Water loss in the Czech territory became a pressing issue as the mine expanded in the 2010s. While measures such as barrier construction, land restoration, and reforestation have been implemented to mitigate dust and noise pollution (Turów 2044, 2024), environmental concerns persist. Also, the scenery is far from appealing (see Figure 2).

Nowadays, the mine pit is less than 1 km from Czechia and 200 m from Germany. Czechia and Germany point to air and noise pollution, soil subsidence, building damage, and, most critically, the depletion of underground water sources (Zittau, 2024). On the Polish side, the mine's external impacts are primarily confined to Bogatynia, where the economic benefits of the Turów energy complex offset its adverse effects.

TURÓW COAL MINE AND ITS SURROUNDINGS



Filip DIRIGL, Liberec 2024, data source: ČÚZK, GUGIK

Figure 1 The map of the studied region. Source: own elaboration



Figure 2 Aerial photograph of the Turów energy complex (taken from the German territory). Source: Wikimedia Commons (2016)

5 RESULTS

Course of the Czech-Polish dispute

The Turów mine is owned by PGE (Polish Energy Group), a company under majority state control. Throughout the 2010s, Czech-Polish and Czech-German talks on Turów unfolded across multiple governance levels but failed to produce a settlement. In March 2020, Poland's Ministry of Climate and Environment extended PGE's mining concession for six years, with an operational horizon to 2044. The decision, adopted without cross-border consultation or impact assessment, breached EU law, including the EU Treaties, the Environmental Impact Assessment (EIA), the Strategic Environmental Assessment, and the Water Framework Directive. The mine employs roughly 2,500 workers, the power plant another 1,200, and related industries around 15,000 (Žuk and Žuk, 2022). The plant supplies heat and water to Bogatynia. Since 2019, pro- and anti-Turów mobilizations have occurred along the Czech-Polish border. Supporters, including trade unionists, organized rallies, while NGOs and residents protested the mine's expansion (Bembnista and Gailing, 2024). A notable milestone was a joint statement by European NGOs and politicians (EEB, 2020). In 2019, affected Czech municipalities submitted a petition to the European Parliament (EP), and its admissibility prompted Commission engagement and influenced subsequent court proceedings (Frank Bold, 2020).

Under public pressure and with the Liberec Region's involvement, the Czech government referred the matter to the European Commission (EC). It brought a case before the Court of Justice of the EU (CJEU). The Court imposed a daily penalty of 500,000 euros for continued extraction. Although Warsaw contested the ruling, it later compromised with Prague (Žuk and Žuk, 2022). In February 2022, Prime Ministers Petr Fiala and Mateusz Morawiecki signed an agreement under which Poland committed 45 million euros in compensation, primarily for Czech water infrastructure, along with a vegetative barrier and an underground cut-off wall to limit groundwater drawdown (MŽP, 2022). The dispute remains unresolved for Czech environmental groups, affected residents, and German stakeholders.

Course of the German-Polish dispute

Zittau has long objected to Turów's expansion. In January 2021, the city, the Görlitz District, and several Saxon MPs, chiefly from Alliance 90/The Greens, complained to the EC, alleging EIA-related procedural violations and exclusion from meaningful participation, paralleling Czech claims (Zittau, 2024). The complaint remains pending. Cooperation between Zittau and Czech authorities largely ceased after the Czech-Polish settlement, while most Czech NGOs maintained a critical stance. At a 2023 Liberec conference, Czech and Polish representatives broadly converged and implicitly portrayed Görlitz officials and German scientists as needlessly contentious, despite Czechia having taken a similar stance two years earlier. In March 2021, German NGOs urged Saxon Minister-President Michael Kretschmer to support the Czech lawsuit. He only voiced concern and commissioned legal analyses. In October 2022, a coalition of international and regional NGOs filed another complaint to the Commission, arguing that Turów lacked a lawful EIA (Radio Prague International, 2022). A final decision is pending.

In February 2023, Poland again extended the mining permit to 2044, prompting Zittau's principal lawsuit, which argues a concession should not precede a definitive EIA ruling (Zittau, 2024). No hearing date has been set. In November 2022, Zittau and environmental NGOs sued in Warsaw against Poland's EIA for mining expansion. Meanwhile, PGE has promoted a gradual transition for Bogatynia supported by the EU Just Transition Fund, though the ongoing EU-Poland dispute may complicate access to this fund. Proposals to repurpose the pit, lake creation or conversion to solar, wind, or hydrogen remain speculative. In March 2024, despite political pressure, public scrutiny, and uneven lower-court rulings in Poland, the Provincial Administrative Court in Warsaw held that the General Directorate's approval of the EIA for Turów's expansion was unlawful, yet it did not halt extraction. Zittau's Mayor Thomas Zenker argues that the absence of a proper EIA remains unaddressed. The case is expected to move to Poland's higher administrative court, prolonging the proceedings.

Multilevel governance and paradiplomacy in cross-border bodies

Regarding MLG, vertical coordination in Czechia is structured around the central government's oversight. At the same time, regions and municipalities are responsible for executing education, transportation, healthcare, and social services

policies. Despite formal decentralization and EU influence, significant power remains centralized, especially in fiscal and legislative matters. Horizontal coordination is less institutionalized, often relying on voluntary associations of municipalities and regional cooperation. The situation in Poland is similar, but it has a weaker civic sector (Bruszt, 2008). MLG is most advanced in Germany, where the federal level is responsible for foreign affairs, defense, monetary policy, and framework legislation in several areas. States hold significant authority in education, policing, cultural affairs, and implementing federal laws. Germany exemplifies cooperative federalism, where NGOs are incorporated into various procedures.

The state of national MLG is reflected in almost non-existent cross-border governance in the studied region. Cross-border cooperation has improved there. However, several barriers remain that challenge balanced regional development. Key obstacles include the absence of a shared regional strategy, language differences, strong central government positions, limited NGO roles, and weak local and regional capacities on the Czech and Polish sides (Špaček, 2018). The only meaningful transfer of decision-making power to non-state actors occurs through the Small Projects Funds, managed by the ERN and funded by the Interreg program for financing local environmental projects, mitigating the effects of mining on the Czech and Polish territory (FMP Turów, 2025). ERN lacks a formal authority to solve problems such as the Turów dispute. In this case, it did not even attempt to publicize the issue or lobby relevant subjects due to the fear of discord in trilateral cross-border cooperation. Representative from the Czech side of the ERN, Havlíček (2022) said: *“The Euroregion is not supposed to be visible. Its role is to facilitate collaboration discreetly. Moreover, it should not take part in serious cross-border controversies.”* Havlíček's Polish counterpart, Sliwa, was similarly cautious and commented: *“The dispute did not disrupt the functioning of the ERN and the number of cross-border microprojects”*.

Another relevant cross-border body is the EGTC Novum. If both national delegations agree, EGTC Novum would adopt a resolution condemning Turów mining. No qualified majority of individual members applies here. Such a hypothetical and unrealistic resolution would be quite strong, but it may not be sufficient to suspend mining. In reality, EGTC was not interested in the Turów Mine dispute. Its director, Vlasák (2022), said: *“Here, in our seat in Jelenia Góra, the conflict is not evident, nor is it being discussed among stakeholders”*. Generally, Euroregions excel at small-scale cooperation but lack authority for disputes. Even EGTCs require member consent and rarely replace state-level bargaining.

The weak position of MLG in Czechia and Poland is connected to the status of paradiplomacy, which faces centralized foreign policy, legal ambiguity, fragmented coordination, and a lack of expertise among small actors. Paradiplomacy manifests through Euroregions, regional representations in Brussels, municipal twinning and city diplomacy. In Poland, regions are larger, economically more dynamic, and their paradiplomatic activities are more intense (Ksenicz, 2023). In Germany, paradiplomacy plays a substantial role in economic development, innovation, cultural exchange, and environmental policy. Ongoing initiatives, such as 2025 trilateral

strategy workshops in Zittau within the Interreg project BorderLabs CE, signal incremental movement toward joint, integrative cross-border planning, yet hard-law conflicts like Turów still default to intergovernmental arenas, with paradiplomacy playing a facilitative role through small-grant programming and technical cooperation.

Paradiplomacy of regions

Liberec Region is a member of the ERN, EGTC Novum, and the Association of European Border Regions (AEBR). It is also represented in the CoR via its delegate. Liberec Region cultivates partnerships with Saxony and Lower Silesia, notably in automotive, textiles, and nanotechnology. From 2005, the Liberec Region maintained a permanent Brussels office to engage in EU debates, networking, information exchange, and Interreg and EGTC Novum coordination (Liberecký kraj, 2025). For financial reasons, the office closed in 2014. Today, the ERN and the Liberec Region's CoR representative, Pavel Branda, cover the agenda.

The Liberec Region is active in educational diplomacy via the Technical University of Liberec and the ERN's Academic Coordination Centre (ACC) with partners in the universities in Wrocław and Zittau/Görlitz University of Applied Sciences. ACC prioritizes cross-border research, student mobility, and the ACC Journal. A notable initiative was Neisse University, a tri-national English-language bachelor's studies in information and communication management with study years in Czechia, Poland and Germany. It ceased after changes to financing reduced student interest (Technická univerzita v Liberci, 2025). Liberec Region also cooperates with Switzerland's Canton of St. Gallen. Swiss assistance after the 2010 floods in the region was significant. Comparable ties exist with Poland's Lubusz Voivodeship and Ukraine's Vinnytsia Oblast.

Initially, the Liberec Regional Government, represented by the governor Martin Půta, strongly opposed the extension of mining. Půta tried to find a solution with the Lower Silesian Governor Cezary Przybylski. The Liberec Region, NGOs, and ten affected municipalities, including Hrádek nad Nisou, prepared a petition against the mining extension. At this time, the topic was more or less ignored by the Czech central institutions. Later, the Liberec Region, in accordance with the Czech Ministry of Environment, filed a complaint to the EC because it considered Poland's action to be illegal. It registered as a participant in the permitting processes in Poland and denied the change in the zoning plan that allows further mining. The region demanded an end to the violation of European directives and compensation for damages.

After reaching the Czech-Polish agreement, Půta, the nominee of the governmental Mayors and Independents party, changed his position and started cooperating with the Polish side at the expense of local people and environmental NGOs. Půta's and other representatives of the Region shift were at the Czech-Polish-German Three-border Region conferences in 2023 and 2024 in Liberec. The German representatives epitomized the only real opposition during the meeting, as no strongly anti-Turów NGO representative was invited. Dissatisfied people from affected

Czech municipalities, where the agreed-upon measures failed to raise groundwater levels, and environmental NGOs turned to the EC or Polish courts. Liberec Region coordinates the Czech side's access to hydrological data and communicates results to municipalities and partners, but dissatisfied subjects contest the data or interpret them differently.

The Liberec Region serves as an operational hub between municipalities, national authorities and Polish counterparts for at least an annual meeting for the Czech-Polish commission connected to the agreement on Turów Mine. Moreover, it has an important role in SPF Turów. The delimitation and overall focus of the fund were developed by an ad hoc working group comprising experts from the Liberec Region, the Lower Silesian Voivodeship and the ERN. Each year, a commission appointed by the Liberec Region and the Lower Silesian Voivodeship, composed mainly of local officials and politicians, defines the priorities and decides which projects to support (FMP Turów, 2025).

Heads of the Liberec Region, Saxony and the Lower Silesian Voivodeship signed in Zittau a memorandum of cooperation on the region's transformation on March 16, 2024. It is mainly related to the end of mining in the Turów mine and preparing a joint strategy to transition the coal economy. The plan should propose a solution from energy and employment perspectives, but it does not solve Zittau's reservations (Deník N, 2024).

The Lower Silesian Voivodeship is an ERN and EGTC Novum member with strong ties with Saxony, the Liberec Region, and other neighboring Czech regions. As with most Polish regions, the region has a permanent representation in Brussels. Wrocław, the regional capital, is an economic hub with strong connections to international businesses, particularly in IT, manufacturing, and the automotive industry. The Lower Silesian Agency for Economic Cooperation and its Investor and Exporter Assistance Centre aim to increase the level of internationalization of Lower Silesian companies by facilitating entrepreneurs' access to high-quality services necessary for planning, organizing and implementing export and investment outside Poland (trade.gov.pl, 2024). The agency also cooperates with several Wrocław universities on research and business internationalization.

The regional government of Lower Silesian Voivodeship, led by liberal politicians from the Civic Platform and smaller parties in recent terms, was not a strong actor despite its negotiations with the Liberec Region during the hot phase of the Czech-Polish dispute. Its moderately pro-Turów attitude, anchoring arguments in energy security, employment in the Bogatynia-Zgorzelec area, and the need to avoid a sudden shutdown, was overwhelmed by the central government and in media coverage by the mayor of Bogatynia. However, it played an essential role during the hot conflict phase in autumn 2021 when the Polish prime minister stopped communication with his Czech counterpart. Then, the regional government communicated with Czech representatives, particularly from the Liberec Region. Regarding the Turów crisis, Przybylski admitted that if the situation were the opposite, i.e. a Czech mine threatened Polish territory, he would not act differently from the Czech side.

Saxony's political, economic, and cultural status as a federal state is stronger than in previous cases, and it is represented in the CoR and has substantial representation in Brussels. Saxony's external action is organized around a clear architecture that blends political, administrative and technical capacities. Saxony collaborates with Polish and Czech regions through the Saxon State Ministry for Regional Development, which oversees transnational partnerships. This includes cooperation in transportation, education, and joint economic zones. Saxony has had its contact office in Prague since 2012. The tasks and objectives of the office include facilitating new contacts, initiating joint projects and conducting lively exchanges. An example of fruitful cooperation is the bilingual German-Czech Friedrich Schiller Gymnasium in Pirna. Saxony is also a member of the Assembly of European Regions (AER). Saxony has institutions focused on economic diplomacy, such as Silicon Saxony or the Automotive Cluster East Germany. Saxon universities such as Leipzig University and Technical Universities in Dresden and Chemnitz also link research and business.

While Germany and Saxony did not directly join the Czech lawsuit in 2021, they voiced their concerns diplomatically. German policy initially leaned towards conciliation compared to the Czech stance, possibly due to the existence of German lignite mines near the Polish border or the threat of Poland claiming war reparations, despite the presence of pro-environmental Alliance 90/The Greens in German and Saxon governments, who were active in cooperation with environmental NGOs and the city of Zittau. The state government did not oppose these initiatives but remained non-partisan. Germany's stance on the Turów issue has remained unchanged despite the transition in government leadership from the Christian Democratic Union to the Social Democratic Party. Meyer, the Görlitz District administrator and leader of the German section of the ERN, criticized Saxon authorities and ministries for their lack of proactive mediation with the federal government, which holds jurisdiction over potential intergovernmental proceedings.

Paradiplomacy of cities

The attitude of city representatives integrated within the ERN and Small Triangle, composed of Hrádek nad Nisou, Bogatynia and Zittau, was not heated even during the peak of the Czech-Polish dispute and border protests, except for Mayor Dobrołowicz. Small Triangle has existed since 2001, and the presidency rotates between the three cities. Member cities are also twin towns. The association largely avoided public engagement with the controversy. There was no information on the Turów dispute on its Facebook page (Mały trojúhelník - Kleines Dreieck - Mały Trójkąt, 2025). Evidently, the organization prefers non-conflict topics such as culture, represented mainly by the Three-border Land Festival, which is attended yearly by thousands of visitors, and transport, such as solving the bad condition of the peage railway on the Polish territory between Czechia and Germany.

Settlements Uhelná and Václavice, which are most affected by mining operations, are parts of Hrádek nad Nisou. Hrádek nad Nisou, on its website, commented on the Turów case several times. One of the posts praises the Czech-Polish agree-

ment and was written by Půta, who is also a city councilor. Newer posts point to the positive effects of the deal in the region (Hrádek nad Nisou, 2025). Overall, the website publishes media news on the case. Hrádek nad Nisou, ruled by the Mayors for the Liberec Region, follows Půta's attitude and the governmental party Mayors and Independents, a political twin of the Mayors for the Liberec Region.

After the Czech-Polish agreement, Mayor Dobrołowicz and PGE representatives often emerge on the Czech side. They like to praise the deal and cooperation with the Liberec Regional Government. In 2019, representatives of PGE tried to persuade Czech citizens and politicians that the effects of mining in their country would be minimal and any demonstrable damages would be compensated. There were three unsuccessful cross-border public debates in 2019 on the Turów issue in Bogatynia and the Czech village Chotyně. There was also a meeting of politicians in Hrádek nad Nisou with the presence of its mayor, Josef Horinka, Půta, Director of the Mine Sławomir Wochna and the Zgorzelec District chairman Artur Bieliński. This meeting was based on the Czech-Polish governmental consultations of ministers of environment. Dobrołowicz, a representative of the Law and Justice conservative political party, consistently supports mining. A few days before the Czech-Polish agreement, Dobrołowicz said there would be no mining limitation in Turów. The mining is carried out in an environmentally considerate manner, and representatives from Czechia can visit the mine and see it, but they are unwilling to (Money.pl, 2021). At the Liberec conference held in 2023, he criticized Zittau's complaints directed at Turów's activities as unconstructive. He questioned the results of studies on the effects of the mine on the German border settlements.

The position of Zittau after 2021 is distinctive. On the one hand, its representatives took part in cultural and political activities with representatives of Bogatynia. Zittau copies the efforts of the Czech local politicians to maintain relatively friendly relations with their Polish counterparts, even during the heated phase of the crisis and proceedings at the EU level. On the other hand, Zittau prepared two lawsuits against the Polish side. The basic argument of the city was the issuance of a decision without a deadline for submitting objections to the EIA procedure and its description, which was inaccurate on the part of the mine operator, non-transparent due to the lack of a translation into German, and inconsiderate of objections and city comments as early as 2019. At the trilateral conference in 2023 on the future of the three countries, German representatives express themselves very acquiescently, yet they irritate the Polish side. Zenker, representing the local voters' association, expressed cautious optimism, stating that his goal is not to shut down the mine immediately, but to receive another legal assessment of the mining permit.

6 DISCUSSION

This study demonstrates that the effectiveness of paradiplomacy in cross-border environmental disputes is conditioned by the interaction between the structural opportunities provided by MLG and the agency of subnational actors (see Table 1).

Table 1 Comparison of subnational actors' paradiplomatic activities in the disputes

Actor	MLG type	Paradiplomacy form	Paradiplomatic tools	Achievements	Limitations
Liberec Region	1	Representation, communication, socialization	Regional talks and conferences, cooperation with the CZ government, EP petition, EC complaint, coalition letters, SPF Turów framework coordination	Escalation to CJEU, contribution to agreement, post-agreement coordination	Later alignment with the CZ state, reduced activism
Lower Silesia	1	Communication, socialization	Regional talks, cooperation with the PL government, SPF Turów framework coordination	Mediation attempts, keeping channels open during the CZ-PL stalemate	Weak, low agenda-setting power in comparison to the PL government
Saxony	1	Communication	Cautious and symbolic communication support of Zittau's steps	Transformation memorandum	Avoided controversy, federal dominance in foreign affairs
Zittau	1	Representation, Communication, Socialization	EC complain, litigation in PL courts, public statements, Small Triangle links	Visibility of local grievances, ongoing legal proceedings	No robust support from Saxony/federal level
Bogatynia	1	Communication, socialization	Media cooperation with PGE, participation in the Small Triangle	Maintaining a pro-mining direction, local legitimacy	Disregard for cross-border objections, low supranational leverage
ERN	2	Socialization	Standard networking, SPF management after the CZ-PL agreement	Post-conflict reconciliation platform for CZ and PL	Avoided controversy, no coercive power
EGTC Novum	2	–	Standard joint strategic planning of infrastructure, no activity regarding the Turów question	–	Avoided controversy, limited coercive power

Source: own elaboration

The Turów case reveals that the capacity of subnational actors to influence supranational venues depended not merely on their willingness to engage but on the accessibility of institutionalized channels within the prevailing MLG framework, containing:

- Type 1: The Czech and German subnational actors operated within a relatively hierarchical system of competencies. In the Liberec Region and Saxony, regional authorities possessed established legal departments, connections to national ministries, and, in Saxony's case, strong federal-level recognition

of subnational roles. This embeddedness lowered the access costs of reaching EU venues and facilitated the use of legal and political instruments. In contrast, Polish municipal and regional authorities, such as Bogatynia and the Lower Silesian Voivodeship, had limited leverage once the national government asserted primacy over energy security. However, it was not a significant concern for them, as they shared the same standpoint.

- Type 2: Cross-border structures such as the ERN and the EGTC Novum represent issue-specific and voluntary forms of governance. These bodies excel in routine, small-scale cooperation, but proved largely ineffective during the hot phase of the Turów dispute. The experience suggests that Type 2 MLG can foster socialization and trust during routine interaction or post-dispute reconciliation (within the SPF Turów), but rarely substitutes for hierarchical authority when disputes arise.

The three key paradiplomatic mechanisms were visible in the Turów dispute but contributed unevenly to conflict resolution.

- Representation was most clearly exercised by the Liberec Region, which used its previous presence in Brussels and participation in the CoR to represent local grievances at the supranational level. Zittau's formal complaints to the EC illustrate representation as a legal-political strategy.
- Communication involved extensive use of petitions, joint statements, cross-border letters, and media campaigns that helped internationalize the dispute. Such communicative action was necessary in agenda-setting but required supportive legal venues to translate discourse into tangible outcomes.
- Socialization, through routine cooperation within Euroregions, cross-border working groups, and trilateral conferences, created networks and norms of dialogue that arguably mitigated escalation. During the peak of the dispute, these mechanisms were insufficient to bridge entrenched national positions.

The findings thus confirm that paradiplomacy is most consequential when backed by hierarchical Type 1 MLG structures that grant access to legal and policy-making arenas. Type 2 structures and socialization provide complementary but largely supportive functions, while communication without institutionalized venues risks remaining symbolic.

We have found that higher MLG maturity, especially Type 1, increases conversion of signals into EU-level leverage. Saxony and the Liberec Region translated local grievances into formal petitions and complaints without reinventing procedures or relying entirely on national governments. Also, subnational-national alignment increases the probability that paradiplomatic inputs translate into state action. Furthermore, the alignment between subnational and national executives proved crucial. The Czech government's willingness in 2021 to escalate the Turów case to the CJEU was facilitated by prior lobbying from the Liberec Region and by the political compatibility between the regional leadership and the national coalition. Legalized paradiplomacy when the core conflict involves compliance with binding EU directives, petitions to the EP, complaints to the EC, and direct recourse to courts that can generate tangible agenda access (EP hearings), procedural rulings (interim measures

by the CJEU), and eventually material concessions (compensations and mitigation measures) outperforms symbolic paradiplomacy (issuing resolutions, organizing demonstrations and cross-border demonstrations and events).

Particular manifestations of paradiplomacy in the Turów dispute emerged and involved:

- Upward linkages: For example, Hrádek nad Nisou and nearby municipalities actively highlighted the negative impacts of mining in cooperation with the Liberec Region. These actors pressured the Czech government to adopt a firmer stance toward Poland. Similarly, Zittau cooperated with the Görlitz District but did not change the government's passive stance toward Poland.
- Informal cross-border cooperation: Some Czech municipalities established ad hoc contacts with German partners from the Zittau area, who faced similar problems. These contacts resulted in cross-border alliances involving foreign or international NGOs that coordinated their activities and consultations and created international pressure on the Polish side. This cooperation was outside existing cross-border bodies.
- Filing complaints and initiatives at the EU level: Regional representatives reached out to the slow or unwilling national level, the EC, and the EP, attempting to bypass national diplomacy and engage directly with international and supranational institutions. Examples are Zittau and its complaint to the EC and the Liberec Region, as well as several of its municipalities and their petition to the EP.
- Challenging state policy: Dissatisfaction with the central government's approach led some actors (Zittau, Liberec Region until autumn 2021) to criticize state diplomacy, creating parallel pressure for negotiation and resolution.

Similar cross-border environmental disputes in Europe further underscore the differentiated effectiveness of paradiplomacy within multilevel governance. Within the same macroregion, in the Temelín case (Czechia vs. Austria), cross-border mobilization by Upper Austrian authorities and NGOs against the Czech nuclear power plant was channelled into an EU-compatible, EC-brokered Melk Protocol, which institutionalized technical dialogue, document sharing and follow-up reviews (Axelrod, 2004). It was an archetypal Type 1 MLG solution that de-escalated tensions without displacing state authority. By contrast, the Barsebäck dispute (Sweden vs. Denmark) unfolded in a city-regional setting rich in cross-border sociability around the Øresund. Yet, the decisive outcome, the nuclear power plant closure, ultimately hinged on a Swedish national phase-out decision, not a binational or EU adjudication (Meyer, 2021). These trajectories show how mature Type 1 channels (legal competence, expert platforms, clear mandates) translate communicative pressure into enforceable commitments, whereas Type-2 soft spaces (city networks, Euroregions) sustain salience and trust but rarely deliver binding outcomes during hot conflicts.

Taken together, Temelín and Barsebäck mirror key patterns visible in Turów. Where supranational procedures and state alignment exist (Temelín), subnational pressure can be converted into monitorable arrangements. Where outcomes depend

primarily on national energy policy (Barsebäck), cross-border communication and socialization shape narratives, not endpoints. Turów sits between these poles. Local and regional actors mobilized EU environmental law and litigation to gain leverage, yet a durable settlement required intergovernmental agreement and subsequent technical monitoring.

7 CONCLUSION

Type 2 MLG structures provide flexible channels for representation, communication, and socialization outside the hierarchy of the state. The findings reveal that regional and local governments, alongside civil society actors, increasingly assert agency in cross-border environmental governance, especially when national-level diplomacy is inadequate, slow, or overly politicized.

The analysis confirms that paradiplomatic practices, while shaped by national legal frameworks and institutional constraints, can significantly influence supranational decision-making, public discourse, and environmental policy enforcement. This is evident in the role played by the Liberec Region, whose efforts contributed to transboundary pressure and legal actions that shaped the trajectory of the Czech-Polish dispute. However, the outcomes were in the hands of national state representatives behind closed doors. Mining law, EIA, transboundary water and air liabilities and interstate compensation are outside municipal, regional or NGO competences. Despite their symbolic role in cross-border cohesion, institutions like Euroregions or EGTCs proved largely ineffective in conflict, highlighting their functional limitations. The study also illustrates the uneven development of MLG across the borderland and disproportions between Czechia or Poland, and Germany with developed MLG. However, it should be considered that German potential was not fully used due to the approach of the federal and Saxon governments.

Research questions raised in the Introduction are answered below

RQ1: Subnational actors in Czechia, Poland, and Germany displayed significant but uneven paradiplomatic agency in the Turów disputes. The Liberec Region, allied Czech municipalities, and Czech NGOs mobilized early, helping escalate the case to the EC and the CJEU and shaping the terms of the 2022 Czech-Polish settlement. Zittau and allied NGOs pursued complaints and litigation against the Polish government but lacked national backing, limiting their impact on agenda-setting and ongoing legal contestation. The Lower Silesian Voivodeship and Bogatynia acted mostly defensively, emphasizing energy security and local jobs, and played only an intermittent bridging role in Czech-Polish negotiations.

RQ2: Subnational actors influenced the conflict through the three classic mechanisms of paradiplomacy. Socialization was most decisive and the key driver of concrete outcomes because it provided a direct channel for subnational actors to gain access to EU institutions with the power to impose binding measures. Communication was secondary but provided agenda-setting. It was crucial in internationalizing the

dispute, mobilizing public opinion, and sustaining political pressure. Socialization was complementary but least decisive during the hot phase of the conflict.

RQ3: The state architectures of MLG conditioned the scope and effectiveness of paradiplomacy. Mature Type 1 MLG in Germany and, to a lesser degree, in Czechia lowered access costs for subnational actors to mobilize EU venues and legal procedures. Type 2 MLG platforms provided soft spaces but lacked coercive capacity and could not substitute for hierarchical Type 1 instruments.

This paper partly confirms and partly challenges the initial hypothesis. While the Turów case demonstrates that paradiplomatic action is indeed constrained by centralized state structures and limited traditions of autonomous subnational diplomacy, the evidence shows that representation, rather than communication, proved the most decisive paradiplomacy mechanism. The Liberec Region's petition to the EP and Zittau's complaint to the EC illustrate that subnational actors can leverage EU institutions to influence cross-border environmental disputes when they possess adequate legal knowledge, institutional experience, and at least partial alignment with national authorities. Communication played a significant agenda-setting and mobilizing role, but did not alter policy outcomes. Thus, the hypothesis underestimated the potential of representation-driven paradiplomacy to shape supranational agendas and outcomes even in the postsocialist context.

Limitations of the study include ongoing litigation regarding German actors' reservations on the Turów Mine. Some inferences may need revision as new court decisions or intergovernmental arrangements appear. Regarding the generalizability of the findings, they may not fully hold in other policy domains (health, migration) or in a non-EU environment where legal venues and MLG configurations differ.

Future research should delve deeper into the institutional and political preconditions that enable or constrain paradiplomacy in cross-border conflicts, especially in Central Eastern Europe, where MLG remains unevenly developed. Comparative studies across different EU borderlands could reveal how variations in legal competences, fiscal capacities, and political alignments shape subnational actors' leverage in environmental disputes. Also, longitudinal research on post-settlement dynamics, such as implementing compensation measures, adaptation strategies for Just Transition, and evolving cross-border relations, would help clarify whether paradiplomatic engagement leads to durable institutional change or remains crisis-driven and episodic.

The Just Transition Fund targets territories dependent on coal and heavy industry to support economic diversification, social resilience, and environmental rehabilitation. If effectively used, it could finance the redevelopment of post-mining land, reskilling programs for former employees, and innovation hubs linked to renewable energy and circular economy sectors (European Commission, 2021). Comparable regions in Germany's Lusatia or Poland's Upper Silesia demonstrate that a combination of EU funding, stakeholder coordination, and regional innovation strategies can gradually transform carbon-intensive economies into centers of sustainable growth. In the Turów case, the region's location at the intersection of three EU states provides additional potential for cross-border pilot projects in clean en-

ergy, research, and eco-tourism. A crucial factor that may affect the future of the Turów settlement is the evolving political landscape in both Poland and Czechia. Governmental changes following parliamentary elections can substantially influence the implementation or renegotiation of the agreement. Governments formed by liberal parties are more open towards cross-border collaboration, while Eurosceptic or nationalist governments play more national cards of economic and environmental sovereignty.

This article contributes to the growing body of literature that reevaluates the role of subnational entities in international affairs. As the climate crisis intensifies and environmental conflicts proliferate, institutionalizing paradiplomacy and empowering local actors may prove crucial for equitable and sustainable cross-border solutions. Studied regional and municipal governments complement and compete with the policy of the central governments. They manifest some efforts to change the nature of diplomacy in their areas from a centralized to a multilevel practice. However, they are far from the standards of MLG known from the core of the EU and often combined with cross-border planning. Such a level is observable in the German-French-Benelux borderlands, where it also incorporates environmental issues such as drought or river pollution (Crossey and Weber, 2023). The Turów mine disputes highlight the growing tendency to incorporate paradiplomacy into contemporary international conflicts, particularly in cross-border environmental and economic disputes. While formal state-level diplomacy between Poland and Czechia ultimately led to a negotiated settlement, the involvement of regional governments, municipalities, and civil society organizations, i.e., their pressure, played a non-negligible role in shaping the discourse, mobilizing stakeholders and influencing EU institutions.

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Paradiplomacie během přeshraničních environmentálních konfliktů: Příklady ze sporů kolem dolu Turów

Souhrn

Tento příspěvek zkoumá, jak substátní aktéři formují přeshraniční environmentální konflikty prostřednictvím paradiplomacie na případu dvou sporů o hnědouhelný důl Turów na česko-polsko-německém pomezí. Zaměřuje se na jednání krajských a městských samospráv a částečně nevládních organizací ve dvou liniích konfliktu i na roli přeshraničních těles souvisejících s evropskou integrací v příhraničních regionech. Z hlediska metodiky studie kombinuje rešerši, kvalitativní obsahovou analýzu, terénní pozorování a polostrukturované rozhovory s klíčovými aktéry. Studie ukazuje, že substátní agenda byla relevantní v obou liniích, avšak měla rozdílné trajektorie. Na české straně Liberecký kraj s postiženými obcemi a nevládními organizacemi spoluutvářel eskalaci případu na úroveň EU včetně řízení před Soudním dvorem EU a přispěl k česko-polské mezivládní dohodě. Na německé straně město Zittau a nevládní organizace podaly správně-soudní podněty v Polsku i směrem k institucím EU, ale bez podpory zemské a spolkové úrovně. V případě Zittau u evropských institucí nebylo dosud dosaženo výsledku. Euroregion Nisa a ESÚS Novum poskytly spíše síťování a rutinní spolupráci než účinnou mediaci ve vyhocené fázi sporu, přičemž euroregionu byla po ukončení sporu svěřena důležitá funkce správy mikroprojektů v rámci speciálního fondu zaměřeného na rekultivaci a regeneraci těžbou zasažené oblasti.

Text je postaven na teoretických východiscích víceúrovňového vládnutí a paradiplomacie. Typ 1 víceúrovňového vládnutí zahrnuje hierarchické a právně rozsáhlé zakotvené subjekty. Snižuje transakční náklady vstupu do eurounijních sfér a zvyšuje pravděpodobnost přerodu komunikačních signálů v procesní či materiální efekty. Sasku a Libereckému kraji pomohly předchozí zkušenosti z jejich zastoupení při EU v Bruselu a právní capacity transformovat lokální stížnosti do formálních petic a podnětů. Typ 2 víceúrovňového vládnutí zahrnuje euroregiony či ESÚS a posiluje učení, komunikaci a socializaci, ale v právních sporech postrádá donucovací sílu. Funguje proto spíše jako podpůrná infrastruktura než jako nástroj řešení konfliktu. Z trojice hlavních mechanismů paradiplomacie se ukázala jako nejučinnější reprezentace, např. petice do Evropského parlamentu či stížnosti ke Komisi. Komunikace měla důležitý agendotvorný a mobilizační efekt. Socializace měla nejnižší efekt, nicméně udržovala mezistátní kontakty na úrovni přeshraničních těles a pomohla v postkonfliktní fázi. Text zachycuje mimo jiné pokutu Soudního dvora EU Polsku za pokračující těžbu, česko-polskou dohodu z února 2022 a pokračující litigaci na německo-polské linii. Nerovnoměrná vyspělost víceúrovňové správy, jež je vyšší v Německu, avšak s omezenou politickou vůlí zemské či spolkové úrovni, a centralizovanější architektura veřejné správy v Česku a Polsku omezují dosah paradiplomacie a potvrzují, že klíčové rozhodovací pravomoci zůstávají u států a EU. Příspěvek rozvíjí poznatky hraničních a evropských studií, když vysvětluje, jak substátní aktéři mohou ovlivňovat přeshraniční spory prostřednictvím paradiplomatických mechanismů.