

Public Participation in the Water Framework Directive A comparative Review: Austria and France

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"Master of Science"

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Affidavit

I, **MIRIAM BAGHDADY**, hereby declare

1. that I am the sole author of the present Master's Thesis, "PUBLIC PARTICIPATION IN THE WATER FRAMEWORK DIRECTIVE - A COMPARATIVE REVIEW: AUSTRIA AND FRANCE", 83 pages, bound, and that I have not used any source or tool other than those referenced or any other illicit aid or tool, and
2. that I have not prior to this date submitted this Master's Thesis as an examination paper in any form in Austria or abroad.

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Abstract

Over the past decades, general environmental consciousness has increased and triggered a tremendous movement, which finally led to the adoption of public participation provisions in international conventions and ultimately in legally binding Directives in the European Union. The Water Framework Directive and the Aarhus Convention represent two of them. A review of the public participation processes in Austria and France is assessed in this Thesis by using a case study approach. It investigates differences and commonalities and builds on state of the art research, which suggests that there is still a long way to go, until a successful implementation of public participation processes can be established. Even though the main findings support this conclusion, this research has shown, that a certain extent of accountability and transparency has been reached through the newly embedded public participation provisions. The public, as well as the Institutions of the European Union can monitor and evaluate the developments of the Member States and hold them to account. While France has a long tradition in public participation, Austria has only started public participation with the advent of the WFD. Naturally, this aspect influences the outcome of this research. Nevertheless, in the final analysis, it can be said that for the most part the WFD has been successful in regards to its public participation provisions. The public, as well as the Institutions of the European Union can monitor and evaluate the developments of the Member States.

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List of Abbreviations

CIS....Common Implementation Strategy
COP 21.....Conference of the Parties 21
e.g. example given
EC.....European Commission
ECJ.....European Court of Justice
EEP.....European Environmental Bureau
Et al.....et alia
etc.....et cetera
EU.....European Union
ICPDR.....International Commission for the Protection of the Danube River
ICPE.....International Commission for the Protection of the Elbe
ICPR.....International Commission for the Protection of the Rhine
NGO..... Non Governmental Organization
PoM....Programme of Measures
RBD.....River Basin District
RBMP.....River Basin Management Plan
RES.....Renewable Energy Sources
UN.....United Nations
UNCED.....United Nations Conference on Environment and Development
UNECE.....United Nations Economic Commission for Europe
UNEP.....United Nations Environmental Programme
UNESCO.....United Nations Economic Social and Cultural Organization
VWGH.....Verwaltungsgerichtshof /higher administrative court of Austria
WFD.....Water Framework Directive
WWF.....World Wide Fund for Nature

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1. Introduction – Research Interest & Outline of the Thesis

„Water is not a commercial product like any other, but rather a heritage which must be protected, defended and treated as such.“ (WFD, 2000; Preamble (1))

With these opening words the Water Framework Directive (WFD) reflects the preciousness of the planet's most important resource - water – it is indispensable for human, animal and plant life, yet its quality and availability is highly threatened, for the most part due to anthropogenic interference. Altogether, the quality of freshwater is highly threatened. In regards to water resource management, conflicts of interest arise between ecological and human needs and wants. An ecological, social as well as economical balance is therefore necessary, for the realization of sustainable water management. Even though, historically people pursued the codification of formal rules to manage water in order to allocate it fairly and by further taking the needs of both, nature and society into consideration, the question of sustainability is still equally relevant today. It means to ensure good water quality to satisfy the needs of the present, without compromising the needs of future generations or other species (Feldmann, 2012).

In the past century European water policy had been highly fragmented, in particular regarding the objectives and means used in order to adequately manage water resources. Numerous different directives were introduced to regulate water management related matters, some of which even contradicted each other. This is why the European Commission pressured for a fundamental rethink of Community Water Policy in the late 1990ies. Instead of continuing to pursue a top-down approach, the European Community decided to implement an Integrated Water Resources Management. This resulted in the outcome of the Water Framework Directive, which is supposed to expand the scope of water protection to all waters, surface waters and ground waters, with a view of achieving a “good status” at a set deadline. Proper water management thus became one of the cornerstones of environmental protection policies in Europe (Laursen, 2016).

Its innovative features are manifested in two essential aspects. The first relates to achieving goals through the collaboration of the contracting parties. The WFD recognizes that water pollution transcends national borders, which is why political and administrative boundaries should not be the sole determining parameter in defining water management policies. It is

more important to look at river basins, which describe natural, geographical and hydrological units. In respect thereof, Member States that belong to the same river basin, are supposed to jointly target water pollution. Improving water quality requires consistent cooperation in dealing with water polluting factors, in order to achieve the goals set by the WFD. This is why each basin gets its own River Basin Management Plan (RBMP) and the accompanying Programme of Measures (PoM), encompassing a description of measures needed to achieve the set goals at a set deadline. These represent the main instruments of the WFD and last for a six years period (Boeuf & Fritsch , 2016).

The second innovative aspect concerns the involvement of the public in the decision-making processes. Sustainable water management has to be made by this generation, not only by the elites or by political institutions, but also by the public (Feldmann, 2012). The WFD incorporates legally binding provisions on public participation, as it realizes its high potential to balance the interests of the various groups affected by the RBMPs. As a crucial constituent for success, public participation finds its legal foundation in Article 14 of the Directive. In addition to its balancing ability, another advantage is the transparency it promotes throughout the whole decision-making and implementation process. Altogether, this should result in a higher accountability for the Member States and the Institutions of the European Union. It gives civil society greater possibilities to influence the outcome, the decisions and the direction of environmental protection policies. By establishing this kind of framework for community action in water policy, the public gets a vital role to play within it (CIS, 2003).

The WFD distinguishes between three levels of participation – information supply, consultation as well as active involvement. The administrative authorities are obliged to properly inform the public and provide opportunities to participate in the creation of the RBMPs, by commenting their concerns in writing. In the interests of transparency, the non-consideration of such a comment requires a justification from the responsible institutions. In order to develop its full potential, the WFD defines how this process is to be realized. Active involvement, however, is to be encouraged, yet not obligatory (CIS, 2003). All in all, the Water Framework Directive is one of the first European Directives incorporating legally binding provisions on public participation and via its participatory and integrative river basin management. Jager et al. compellingly argue that it is considered as the most ambitious and comprehensive piece of environmental legislation in the European Union (Jager et al., 2016). Article 14 of the Directive, refers to the success that can merely be ensured, when relying „on

the close cooperation with the public as well as with stakeholders at the local and regional level“ (WFD, 2000; Article 14).

On the EU level, the principle of public participation in environmental decision-making is equally reflected in the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters – the Aarhus Convention. It obliges its ratifying nations to ensure the access rights and to further promote the Articles of the Convention in international environmental decision-making processes (UNECE, 1998). As the WFD does not regulate access to judicial remedy, the Aarhus regulation will be used as a supplement to explore public participation processes in this Thesis.

To date, previous and current research in the field has predominantly focused on the theoretical conception of public participation. To date, a few publications and studies are available which discuss the issue on a more practical level. Although several scholars have highlighted the benefits of participation for water governance, little attention has been paid to the illustration of Public Participation as a significant contributor to achieving better results. Recently several scholars started to gain interest in the influence and the quality of public participation in the WFD. A few studies have been carried out in this regard and compare public participation in various Member States of the EU and gave valuable insights in participatory planning in various countries (Jager et al., *Transforming European Water Governance? Participation and River basin Management under the EU Water Framework Directive in 13 Member States*, 2016). Since the public participation process has to start early on, the first discussions, informational meetings and round tables already took place in 2005. In 2005 when the public was consulted in the context of the WFD, the European Environmental Bureau (EEB) and the World Wide Fund for Nature (WWF) came to the conclusion, that the overall starting point was a bit disappointing – according to their study, most countries had a long way to go, in order to achieve public participation as expected by the WFD (Scheuer, 2005).

Three years later, in 2008, another study conducted by Scheuer and Rouillard came to a similar conclusion after undertaking an assessment of the grand consultation prior to the 2009 RBMP across the EU. Even though, the study revealed that there are numerous examples demonstrating meaningful engagement of the public in decision-making processes, in particular mentioning elements of the consultations in France and Scotland, urgent improvement was still required to achieve the public participation goals of the WFD. Experts

and NGO representatives from all EU regions were interviewed about their level of satisfaction with the public participation processes in their countries. Based on those interviews, respondents from Austria (among other states) were the least satisfied with the way public consultations have been processed. The reasons for this negative sentiment were an overall lack of proactive policies for engaging environmental organizations and associations, as well as too little information. NGO's complained about the absence of communication with the river basin authorities, which also led to a non- reflection of their input in the key documents. In comparison, respondents from France (among other States) were satisfied with the way public consultations have been carried out. According to them, the administrative authorities made an effort to involve stakeholders and tried to ensure transparency. Even though, the interviewed stakeholders complained about a lack of financial and technical support and late involvement, in France authorities aimed to target the wider public. However, according to the interviewed experts and NGO representatives the questionnaires, which have been sent out to the public about the WFD and its measures, were often biased and did not really contain choices (Scheuer & Rouillard, 2008).

According to de Stefano's research published in the Journal of Environmental Management, which looked at all three levels of public participation according to the WFD, namely the supply of information, consultation and active involvement. The study showed that considering proactive **information** France scored with "good" (levels ranged from very poor, poor, moderate, good, very good) while Austria scored "moderate". When looking at public **consultation**, both countries scored "very good", yet when looking at **active involvement** France scored the best of all WFD participating countries, while Austria scored "poor". Active involvement seemed to represent the hardest challenge of all three participation levels included in the WFD, as it requires better planning, thought through management and expertise in targeting a wide public (de Stefano, 2010).

And finally the study, conducted by Jager et al. explored the public participation process in thirteen EU countries, including Austria and France. It describes France as a water governance pioneer, because of its long history of institutionalized river basin management, including stakeholder participation. France therefore did not need major adjustments to comply with the WFD. Public participation already played an important role in previous water legislation. Already existing structures were adjusted to broaden the framework for wider public participation and stakeholder involvement. Other countries, such as Austria chose a

rather managerial approach, where public participation and river basin management structures equal a contributing factor to already existing and established routines for environmental decision-making (Jager et al., *Transforming European Water Governance? Participation and River basin Management under the EU Water Framework Directive in 13 Member States*, 2016).

State of the art research thus suggests, that the participatory process in France is more successful than in Austria. The Master Thesis specifically explores public participation, as a central aspect of the Water Framework Directive. With the first six years period coming to an end in 2015, this was the second time that the public had the opportunity to participate in the decision-making process. This gave the Member States sufficient time to work out efficient, successful ways to implement the guidelines, presented by the European Commission in the Common Implementation Strategy. It thus appears timely to assess the participatory process of Austria and France.

The present research tries to capture those efforts, in particular keeping in mind and by further discussing in detail the results of the previous above-mentioned studies, by looking at the following three questions. *First, how did Austria and France realize the Public Participation Provisions established in the WFD, in compliance with the Aarhus Convention? What different communication strategies or approaches have been used in order to fulfil the requirements of the WFD and the Aarhus Convention?*

While the first research question focuses on the way public authorities targeted the public, in order to give them a possibility to participate, the second question deals with its influence on the decision-making process, depending on available information, both in the first and the second Management Cycle. *To what extent has the public been involved in the decision-making process, how did it influence RBMP or changes in communication strategies?*

Article 14 has been included in the WFD, not only to empower the public, but also to achieve higher accountability for the Member States and the Institutions of the European Union. The third research question thus reads as follows. *Has a system of checks and balances, where accountability and transparency are ensured, been enforced, by involving public participation provisions in the WFD?* In comparison to the second research question, this question looks at the general way public policy has been changed, because of the involvement of the public.

This does not concern the changes in the RBMP, but rather looks at how the public can hold administrative authorities to account. Altogether, the purpose of these three research questions is to illustrate the effects of this article and to further review, if it has fulfilled what it promised.

The remainder of the study is organized into six chapters. The introductory section is divided in three chapters dealing with the relevant theoretical aspects and the necessary background information for the study. In this regard, chapter two specifically illustrates the methods used to answer the proposed research questions and is followed by chapter three, which is dealing with the definition of river basins and pressures and impacts influencing the quality of those basins, in order to establish the starting positions of Austria and France. The definition of those aspects is necessary for the development of the RBMP and highlights the main problems in the River Basins in question. The reasons explored in this chapter may indicate reasons why the public might have been motivated to get involved in influencing Water Management Policies, or why it has not developed a greater interest to participate. Chapter four first describes the theoretical background in the history of public participation in environmental decision-making and elaborates on the advantages and drawbacks of public involvement. Subsequently, chapter five explores the operative realization of the requirements in Article 14 and the Aarhus Convention. Furthermore, the different approaches, the benefits and the problems will be described in this chapter. At the end of this section chapter five discusses the results of this research and finally closes with the conclusion of the conducted research and gives further considerations, as well as an outlook for the future.

2. Methodology

This research is carried out by the utilization of a case study approach. It compares the measures and methods implemented by the Austrian and the French administrative bodies, in order to fulfil their obligations under Article 14 of the WFD, as well as the Aarhus Convention, regarding public participation in decision-making processes. The relevant article mentions three different types of public involvement – information supply, consultation and active involvement (WFD, 2000). In compliance with the Aarhus Convention another criteria – access to justice – will equally be explored.

Each level of participation comes with different implications. **Information supply**, in accordance with the provisions of Article 14 of the WFD and complementary the first pillar of the Aarhus Convention, refers to providing access to background information. This relates, but is not limited to the planning process - information should be made available at all stages of the planning and decision-making process. Under the premise, that decisions are best taken, when one is fully informed, information is crucial for a successful and efficient decision-making process. Furthermore, preamble 46 highlights the importance of informing the general public well, as this is the primary condition for public participation and serves as a facilitating factor to contribute in the whole participation process. Strictly speaking, Article 14 merely requires the availability of background information and does not explicitly refer to the active dissemination of information, as required in the Aarhus Convention (CIS, 2003). However, preamble 46 of the Directive calls for involving the general public, including water users, in the creation and updating of the RBMP (WFD, 2000). This implies, that active outreach is inevitable, in order to reach the concerned target group, since otherwise a small number of people would be able to participate.

The second form of public participation, namely **consultation** which shall be ensured in the planning process of the RBMP, is referred to as the lowest level of Public Participation, if one considers information supply to be the general foundation for Public Participation altogether. In general it refers to the possibility to comment on draft plans and proposals developed by the public authorities. The administrative bodies publish the relevant documents, with sufficient background information, and open the consultation for the general public. Article 14 specifies the requirements for consultations in the context of the WFD, by referring explicitly to written comments – the administrative bodies are thus legally required to provide

the possibility to submit written comments (WFD, 2000). However, the administrative authorities can organize public hearings, discussions, surveys and interviews or public events to actively seek for comments and opinions of the public. Furthermore Preamble 15 and 46, as well as Annex VII refer to consultations in general, which can also entail a broader scope (WFD, 2000). Consultations do not aim for an obligation to include and implement the views submitted by the public, but the Member States are required to at least consider them in the RBMP and to publish a document where justifications of including or not including proposals from the public in the RBMP. By looking through the submissions, interests among all stakeholders are represented in the best case and help the administrative bodies to capture the different perceptions, experiences and perspectives. By considering those comments, more suitable and in particular more sustainable solutions can be decided by taking the gathered knowledge into account (CIS, 2003).

In addition to information supply and consultations, Article 14 mentions **active involvement**, which is a means for stakeholders to actively participate in the planning process in various ways. This can be in the form of active discussions, or by actively proposing solutions. This, however is not an obligation, but the Member States are encouraged to actively involve the public in the decision-making process. At this stage, no specifications are given, each Member State can interpret this provision by itself and implement measures they see fit to implement it (CIS, 2003).

Access to judicial remedy in environmental decision-making is not specifically mentioned in the WFD, but is legally covered in the Aarhus Convention. The Aarhus Convention was generally created with the goal to provide the public and NGO's in ratifying countries (Austria and France both signed and ratified the Convention) with tools and standards to monitor performance and the one hand and to be involved in environmental decision-making on the other. The Convention consists of three main elements, often referred to as „pillars“. The first pillar regulates the access and dissemination of environmental information relevant to the public. The second pillar deals with public participation in environmental decision-making. This concerns all stakeholders and interested groups. Finally the third pillar addresses access to judicial remedy, in cases of noncompliance by governments or corporations within the legal obligations established by the Convention. With these pillars it aims at improving environment and democratic governance and promotes transparency and accountability (Petkova & Veit, 2000). The WFD includes provisions similar to the first two pillars.

However, it does not regulate access to justice. As the Aarhus Convention has been adopted by France and Austria and is a highly relevant document in environmental decision-making, it is used in this Thesis as a supplement in the analysis of public participation in both countries. Regarding some public participation issues under the WFD, NGO's in Austria made allegations of non compliance with EU law, by specifically referring to the Aarhus Convention (Ökobüro, 2014a). This is why it plays an essential role for this research.

At each level of public participation, this research explores four different aspects. Firstly, it investigates the means and methods used by the administrative bodies to fulfil their legal and political obligations derived from the Directive. Both States present their outreach measures on their websites. These will be looked at for each level of participation. Secondly, the Thesis questions the *accessibility* and the targeting of those measures. At this stage the study elaborates on where and how information could be accessed. Who did those methods target and did it reach the intended target group? This however, is only useful, if an interested party actively seeks to find the information. Therefore the Thesis, at this stage, also looks at *reachability* the ways the public is targeted, for instance, is information only provided on the Websites, or are there other sources of information, one can not miss? The question here is, whether the Member States merely fulfilled their strict obligation, or whether an effort has been made to truly and effectively reach the public. Thirdly, *comprehensibility* is a key factor in public participation. If information can not be understood by a non-expert in the field, not all interested parties can effectively participate. Since different measures target different stakeholders, the Thesis examines whether the conducted methods were suitable to address the respective party. In case the desired information, for instance background documents etc., can not be found, the Aarhus Convention states, that upon request information shall be provided as soon as possible and at the latest within one month after the request has been submitted. An exception is only to be made, if the volume and the complexity of the information justify a longer period (Aarhus Convention, 1998). Therefore, if the sought information cannot be found, the Thesis also explores the possibility to file a request for further information. Finally, the study elaborates on what the public did with this information by examining the questionnaires, interviews, reports et cetera, which have been made available by the administrative bodies or Non Governmental Organizations.

At this stage, the case study illustrates different ways, how interested parties have impacted the implementation of the WDF. One possibility is to directly influence the decisions by

making written or oral comments in the consultation process. It may also mean that stakeholders merely wanted to stay up to date and therefore made use of the available background information. This further indicates, that public participation does not necessarily aim at directly influencing the decision-making process, but that it functions as a body of control by enforcing accountability and transparency. By regularly checking updates, reports, method plans and results, it can hold the administrative bodies to account and thus gives an incentive in working in a transparent and responsible manner. Another possibility is to not contribute to the Directive directly, but changing behavioural patterns, which equally influence the countries' water quality, especially in the long term. In France this might be taking shorter showers and thus reducing the amount of water used – this is particularly relevant when the supply of water is limited, which affects some French regions. In general it may refer to an increased level of environmental consciousness and acting in an environmental friendly manner. This is only possible if the necessary information and awareness raising campaigns reaches the broad public.

As the research further assesses the role of public participation and its impact on success, a definition of the term is necessary. Scientists often distinguish between two categories, when determining success of public participation: the first one refers to the evaluation of the participatory process, while the second approach deals with the evaluation of success by looking at the outcome of the process (Chess & Purcell, 1999). Since this Thesis uses a case study approach, these two categories are combined. It first looks at the methods used to involve the public, thus it determines success along the WFD and the Aarhus Convention Criteria of the participatory process. Success does not necessarily mean, doing what the public wants. Success in this regard can refer to the fact, that the public is informed about certain issues in their country/region and understands main water management problems and, that there is a possibility to submit comments or statements regarding different policies regarding those issues and that they know about it. Thus this refers to the fact that they know about their access rights – access to information, access to public participation and access to justice (Petkova & Veit, 2000). It can also mean, that the public adapted their behaviour in order to mitigate risks and reduce pollution. In the case of France for example, opinion polls have been conducted to assess the change in behaviour, as a response to informing the public about negative impacts of careless water using behaviour, such as using excessive amounts or using polluting detergents and other household cleaners (Ministère de l'Ecologie, 2008). Success also refers to infringement procedures and legal battles in order to demand certain

rights or reverse allegedly harmful decisions. Success alongside the participatory process in this regard, refers to all these points. Concerning the outcome, one could look at the actual evaluation of the status of water quality. This however would go beyond the scope of this research. When referring to outcome, it looks at whether accountability and transparency for example have increased as a response of public involvement.

Subsequently, it looks at the outcome of the public participation process. This research does not exclusively look at the outcome of decisions, meaning the extent to which the public's ideas have really been included in the RBMP, but as mentioned above also looks at the consequential impact on the public's behaviour, in particular in reference to their use of water according to surveys or opinion polls, which have been made available by the public authorities. This also concerns the outcomes of infringement procedures or other legal proceedings and its consequences for the Member States and the public in the future.

Concerning the terms and definitions used in the Thesis, the Participation Guidance Document number 8 of the WFD Common Implementation Strategy (CIS), serves as a foundation for the conducted research. This document was created by the EU Member States, Norway, the European Commission as well as Non- Governmental Organizations (NGO's) in order to provide a jointly developed common strategy aiming for a coherent and harmonious implementation of the Directive in the context of Public Participation. It serves as a technical advisory document and is not legally binding for the Member States. Nevertheless, it gives recommendations and best practices on how to realize provisions on the involvement of the public, which can be found in both the preamble and Article 14 of the WFD. The paper recognizes that there is no single general prescription as to how public participation has to be organized or implemented. As political, organizational and cultural structures differ from State to State, each country requires a context-sensitive implementation of the strategy, which will also be considered in the conducted research (CIS, 2003).

To be clear and consistent with the terms and definitions used throughout the research, the Thesis defines „the Public or general public“ according to the Aarhus Convention. It refers to as „one or more natural or legal persons, and in accordance with national legislation or practice, their associations, organizations or groups“ (SEA Directive, 2001).

An interested party, equally referred to as stakeholder, defines a group or organization with a „stake“ in an issue. This interest exists either because, the stakeholder is directly affected by the decided water policy, or because they have an influence on the outcome. Furthermore, an interested party also includes members of the public, who are not yet aware of the fact, that they might be affected. Practically this concerns mostly individual citizens or inhabitants of a region, farmers, as well as NGO's, private companies, or local groups such as farmers associations, fishermen et cetera (CIS, 2003).

3. Characterization of River Basins – Impacts and Pressures

Prior to the Water Framework Directive, European water policy consisted of five Environmental Action Programmes, each of which dealt with a specific issue related to water management (Nilsson, 2004). Altogether, around thirty different Directives and Decisions have been adopted since 1975 with the purpose of fighting water pollution, by reducing hazardous substances in aquatic bodies on the one hand, and defining standards for certain areas, on the other (Henocque & Andral, 2003). As already mentioned in the introduction the number of Directives, with its various measures and methods to regulate water related issues resulted in a fragmentation of EU water policy. Altogether, the absence of a clear structure, as well as contradictory regulations were the reasons for a lack in consistency. With the adoption of the WFD, the EU chose a holistic approach to water management, which was further supposed to replace most of the prior Directives, in order to successfully address the issues concerning water quality in Europe.

With about 60% of the European Union's surface lying in river basins that cross at least one national border, the EU is a land of shared waters. Therefore a system of international river basin districts (IRBD) has been established. Each Member State bears the responsibility for implementation in the portion of an IRBD lying within its territory and is obliged to coordinate these actions with the other Member States in the district (European Commission (DG Environment), 2008). This is not the first time joint efforts have been used to manage Europe's international rivers and to tackle the wide shared issue of water pollution. Case studies demonstrate a long history of cooperation on the water quality of the Danube or the Rhine. Nevertheless, the Water Framework Directive has highly accelerated and deepened this process across the European Union's 40 International River Basin Districts. River Basin Management Plans, lasting for a 6 years period, aim to make sure, that the countries are continuously working on the implementation and the improvement of measures to achieve a „good status“ at a set deadline. The first plan has been set up in 2009 and lasted until the end of 2015. Thus in the course of the year 2015 the first Management Cycle ended and the results have recently been presented (European Commission (DG Environment), 2008).

Next to jointly addressing water management, the inclusion of public participation provisions led to a redesign of the WFD – a shift from government to governance (Jager et al., 2016). Therefore, the Member States are obliged to publish continuous evaluations and updates to

inform the public about the current status quo. The draft River Basin Management Plans have already been published and were open for the public to comment on them by 21st July 2015. The Member States have to consequently review the comments and consider them for the drafting of the final RBMPs, which will last for the following 6 years – currently until 2021 (Nilsson, 2004). In respect thereof, according to Article 3, the contracting parties were required to identify River Basins, assign them to River Basin Districts and appoint competent authorities to manage them properly. As previously mentioned, a river basin describes a natural, geographical and hydrological unit and reflects the importance to look beyond national borders. Through this set up, the Member States are required to collaborate on improving the water quality of Europe's Waters (WFD, 2000).

By March 2005, the Member States were supposed to submit a first assessment of pressures and impacts on their river basins, to the EU Commission. By the end of 2013, a review of the submitted documents, including possible updates of the status at the time was required. Having a sound knowledge of the anthropogenic and natural impacts and pressures on surface and ground waters is crucial for the formulation of a Programme of Measures. This is necessary, in order to find the right measures to mitigate or reduce the defined risk factors. These measures include a general characterization of the entire river basin and further review water bodies, risking to fail the environmental objectives by 2015, which was the first set deadline to achieve a good status – later deadlines are 2021 and 2027. Altogether the RBMP in combination with the Programme of Measures represent the core instrument of the WFD (CIS, 2003).

This chapter briefly introduces the relevant river basin districts, as well as corresponding pressures and impacts and concludes with a comparative assessment of those factors its possible influence on the public.

3.1. Austria

In Austria a share in three River Basin Districts (RBD) has been identified – the Danube RBD, the Elbe RBD, and the Rhine RBD. Nationwide Water Management is conducted by the Austrian Ministry for Environment. The international coordination of water management policies in the three RBD is governed by International River Basin Commissions, where Austria acts as an observer in both, the Rhine and the Elbe Commission and has a party status

in the Danube Commission. Additionally, bilateral agreements exist with the neighbouring states (European Commission , 2012a).

The Austrian Ministry for Environment regularly publishes draft RBMP including attachments such as relevant spreadsheets and maps, as well as necessary background documents. In order to reach the general public, the Ministry further publishes a simplified brochure including the essential points of the draft RBMP. Moreover, according to the draft RBMP 2015, the Ministry organizes informational Meetings, to give interested stakeholders the opportunity to discuss unclear points and unanswered questions (NGP, 2015).

As reported in the 2015 draft, relevant pressures for Austria's surface waters comprise industry, groundwater use in households, agriculture, protective water management, infrastructure, the use of hydropower, tourism, navigation and fishery. This results in the following pressures and impacts:

Pollution caused by **substances introduced by human activity**

- point source emissions, e.g. emissions of wastewater treatment plants: in addition to nutrients and oxygen-depleting compounds, point source pollution also includes a variety of pollutants from industrial plants or households (e.g. used in household cleaners.)
- pollution caused by diffuse sources: these can have adverse effects on the status of surface waters, both, by the entry of nutrients and organic matter, but also by the entry of chemical pollutants. This is mainly caused by nutrients that enter through erosion of agricultural areas.

Hydromorphological pressures: hydromorphological pressures affect the hydrology, the morphology and the continuity of the aquatic bodies. In this context pressures are a result of anthropogenic impacts, which lead to a change in the hydrologic balance, e.g. it influences runoff quantity or the discharge dynamics of surface waters mainly caused by water extraction, which reduces the runoff quantity and dynamics; pressures due to damming up which reduce the flow rate.

- **Hydrological pressures**, concerning the change in sediment balance, are mainly caused by flood protection, including infrastructure and hydropower, partly navigation, tourism, agriculture, industrial use of water and aquaculture.

- **Morphological pressures** are caused by anthropogenic interventions in the structural expression of waters (by changing the depth and width variation, structure and substrate of river beds, structure of riparian zones, flow speed, lateral networking, change in the solid budget), for example related to water regulations, embankments, damming etc.
- **Pressures related to migration obstacles**, such as transverse structures which negatively impact aquatic bodies, by interrupting the natural continuity; aquatic organisms, fish in particular, are disturbed in their migratory behaviour and natural habitat. Their living space is isolated and thus interrupts the natural sediment transport (NGP, 2015).

Risk factors causing alterations such as the generation of hydropower, the receiving of effluents, flood control and navigation lead to an interruption of the longitudinal continuity of rivers, the disconnection of riverine floodplains and the disturbance of the natural lateral connectivity of river basins (Ministerium für ein Lebenswertes Österreich, 2014). The decrease of quality status, such as a decline of species biodiversity, the decline of species abundance, altered population composition and hindrance of species migration and the resulting decline of naturally reproducing fish populations, is often due to these identified pressures. Furthermore, the ICPDR concluded, that many infrastructure projects and their implementation are a deteriorating factor of the current status of water bodies (ICPDR, 2007). In addition to that, climate change has also been mentioned as a pressure affecting the status of aquatic bodies in Austria (NGP, 2015).

Concerning groundwaters, the main pressures are a result of diffuse and point source pollution. According to Status Analysis in 2013, the latter represents a major issue, and is mainly due to use of nutrients and pesticides in agriculture (NGP, 2015).

Future risk factors

The Ministry of Environment considers further measures for flood protection as necessary, but also recognizes that mitigation measures will have to be considered in order to reduce the adverse ecological effects. In order to achieve the climate goals, a further expansion of hydro power plants is planned. In addition to the revitalization and increase of efficiency of already existing plants, the construction of new power plants will be necessary, which also means that an expansion of storage is sought in particular. It can not be excluded, that this will cause a deterioration of the ecological status of individual water bodies and requires exemptions

according to § 104a WRG (NGP, 2015). In the WFD this is regulated in Article 4, the so-called non-deterioration clause, which states that deviations from this clause, such as modifications of already existing infrastructure project (for example, hydropower plants) or the expansion thereof, is only allowed, in exceptional cases (WFD, 2000).

3.2. France

In France, certain essential principles of the WFD, such as the assignment of River Basin Districts has already been implemented before the Directive has been adopted. Distinct hydrographic areas have existed before and were managed by River Basin Committees and Water Agencies. In 1992, a new Water Act led to the institution of so-called Water Management Master Plans (french abbreviation: SDAGE) for the six hydrographic basins in France. Their purpose is similar to the one of the River Basin Management Plans (Henocque & Andral, 2003). Today these plans are supplemented with regional and local action plans and are governed by the River Basin Agencies and the State (The Water Agencies, 2016). The administrative structure, which ensures the implementation of the WFD consists of the French Ministry of Environment and its regional offices, as the main responsible authority, and so-called “water basin agencies” (in french: Agences de l’Eau and in this research often referred to as River Basin Agency). Furthermore these Agencies prepare the RBMP, in collaboration with the regional offices of the Ministry of Environment. They play a leading role in the implementation and the monitoring of the Directive (Whalley & Horn, 2012).

Even though, theoretically thirteen River Basin Districts can be distinguished in France, only the following six of them are relevant for this study – **Rhône-Mediterranean, Adour-Garonne, Rhine-Meuse, Artois Picardie, Seine-Normandy and Loire-Bretagne**. The remaining river basin districts are considered as oversea territories and are therefore not included in the scope of the present research (European Commission, 2016).

According to France’s Member State Report diffuse sources, point source pollution, water abstraction, water flow regulations and morphological alterations are considered as the most significant pressures on its aquatic bodies.

Diffuse pollution: this includes nitrogen, phosphorus, pesticides, metals and micro pollutants are mainly caused by agricultural activities and significantly affects almost all french RBD. According to this report they are responsible for failure of achieving good chemical status in 9 of all the RBD. In the context of agriculture, water abstraction has also been identified as a

significant pressure in some RBD, especially in Adour-Garonne and the Loire-Bretagne RBD (WRC, 2015). Even though numerous measures to control especially nitrates pollution have been implemented, in order to meet the objectives of the Nitrates Directive, as well as those set by the WFD, nitrate pollution continues to be an issue. This affects both, surface- and ground waters (Ecologic Institute Vienna, 2009). This is also why the EU urges France to enhance its domestic water quality in the affected RBD (EASAC, 2010).

Hydro- morphological pressures: anthropogenic pressure in this regard is often due to the use of hydroelectric power plants, which are not equipped with fish passes, thus producing a barrier for the migration of fish and consequently leading to a decline in fish diversity (AESN, 2003).

Climate Change: A higher frequency and intensity of droughts can be traced back to climate change issues. Adverse effects concern water temperature, dissolved oxygen concentration, eutrophication and heavy metals. A decrease of supply of good quality water can also be a serious concern for the availability of drinking water (van Vilet & Zwolsman, 2008).

Depending on the location of RBD, some face more extensive challenges in regards to weather conditions. One of those is the Adour Garonne RBD, which is highly influenced by the weather conditions of the southwest of France, which is characterized by wet springs and recurrent dry and hot summers (Hammel, 1994). Furthermore this RBD faces increasing water scarcity challenges each year. This problem concerns France as a whole, but in particular this RBD (Comeau, de Truchis, Pintus & Plantey, 2014).

3.3. Comparative Analysis

The prevention of the deterioration of the french aquatic bodies, as well as the improvement of the water quality have already been incorporated into french law, in the Law of 1964, which has been supplemented and modernized with the adoption of the Water Framework Directive (International Office for Water, 2009). The WFD led to a shift from an obligation of resources, which means providing financial support to control pollution, towards an obligation to achieve results. In other words it has changed from an input oriented to an output oriented system. This transition to an output oriented approach ensures that the French

Water Agencies have to apply sufficient and adequate actions to reach the demanded results. The same development can also be observed in Austrian Water Policy. While, administrative bodies in Austria usually used an input oriented approach, the Water Framework Directive requests results. It thus has been transposed into Austrian National law by 2002 and came into force in the same year (Ministerium für ein Lebenswertes Österreich, 2014).

As the characterization of River Basin Districts above shows, in France these RBD are many-sided and different climate conditions pose divergent challenges in each region. While France has to deal with this diversity of river basin conditions, Austria has merely one major river, the Danube. According to the Water Basin Agency of the Seine Normandy, the public is aware of the pesticides and chemical fertilizers as a major problem for their waters. The seriousness of environmental issues in France is equally known (AESN, 2003). Environmental preconditions in Austria are quite favourable, as in contrast to other EU Member States, there is no problem concerning the availability of water, water quantity or polluted drinking water (Fruhmann & Türk, 2013). In terms of Public Participation, this can have an impact on the environmental consciousness of the broad public. One can only assume that people are more cautious and more conscious in their use of water, when they have experienced problems like water scarcity or polluted drinking water. Adverse effects concerning water are more noticeable, when one is personally affected.

In both, Austria and France, hydropower plays an important role in the energy mix (Lubek & Wakeford, 2015; Ministerium für ein Lebenswertes Österreich, 2014). Even though it is an important source of energy, especially to increase the share of renewable energies in Europe, it can have a deteriorating effect on water bodies and adjacent wetlands. Therefore it is highly important to ensure compliance between hydropower and the WFD or other EU environmental legislation. The ecological consequences of the use of hydropower have to be considered and policies to mitigate the adverse effects should be implemented (European Topic Centre, 2012). Currently more than 60% of total electricity produced in Austria originates from hydropower plants (International Energy Agency, 2014). The main possibilities are seen in the construction of small- and mid-sized hydropower plants, to further develop Austria's large hydropower potential, which exists due to alpine topography (Kampa, Von der Weppen, & Dworak, 2011). Environmental organizations, such as the WWF, are concerned with hydropower expansion plans, which threaten the last free flowing rivers, in order to meet the growing energy demand. In addition to more than 5000 hydropower plants,

an expansion of 100 more increases the already fundamental hydro- morphological pressure for the Austrian Alpine river system. According to the sceptics, the advantage to meet the growing energy demand would only last for a short term, but in exchange irreversibly harm the remaining intact rivers, especially the integrity of rivers in the Alps (WWF Austria, 2014). In summary Austria's abundant use of hydroelectric power represents one of the most important power sources. This is mostly due to the lack of significant fossil fuel supply, such as coal, gas and oil. After the Second World War investments in hydropower increased considerably (International Energy Agency, 2014). Power generation or irrigation, navigation, flood protection, water storage and urbanization are causes for major hydro- morphological changes (CIRABC, 2006). The analysis conducted by the Austrian Government showed that two thirds of Austria's flowing waters did not achieve the good ecological status, due to hydro- morphological pressures (Ministerium für ein Lebenswertes Österreich, 2014). Hydropower installations inhibit movement from aquatic species and create risks for them to get caught in turbine intakes. Furthermore they change the flow and water level fluctuation and thus impact shore zone habitats (European Topic Centre, 2012) Therefore the rehabilitation of those pressures has been prioritised in the first national river basin Management Plan. Through the construction of fish ladders, the increase of volume of residual water and the improvement of the local water- and bankstructure, in Austria the ecological status shall be improved (Ministerium für ein Lebenswertes Österreich, 2014). However, these are mainly mitigation measures – one cannot forget the irreversible impacts on natural aquatic bodies as stated by the environmental NGO WWF. This is why it is often a controversial issue disputed by environmental advocates and their opponents, mostly industrial stakeholders. In terms of Public Participation this is a highly debated issue in Austria – a more detailed discussion is found in the results section of this Thesis.

In France on the other hand, it is a matter of common knowledge that it mainly relies on nuclear power, hydroelectricity is on the rise, as it is one of France's main source of renewable electricity (Lubek & Wakeford, 2015). Compared to Austria, the construction of hydro power plants has not caused as many disputes between different Stakeholders. In summary the main factors that contribute to a deterioration of water quality, is the agricultural use of fertilizers, the exploitation for electricity generation, the industrial use of the rivers and the increased level of urbanization. The main differences in the River Basin Districts of Austria and France can be found in size, geographic topography & level of urbanization, regional conditions & weather and electricity generation.

In conclusion, the advantages of the so-called RBMP are manifold. On the one hand they give a comprehensive overview about necessary measures against water pollution in a hydrographic unit. On the other hand, as the plans are so detailed and open for the public, it gives interested parties, individuals and NGO's better access to factual information essential to water protection. Most likely, more than any previous document, one might add. With this information, the WFD facilitates the process for NGO's or interested Stakeholders to challenge explanations and justifications, demand more information or background documentation or even propose more stringent and more efficient measures when necessary. With this possibility, the public got more influence on the management of European waters, than ever before (Lanz & Scheuer, 2001).

4. Public Participation

This chapter deals with the pathway to public participation in environmental decision-making. In order to answer the research questions, this movement is an important factor, as it illustrates the legal foundation for public participation. It also shows, that this has been an ongoing process, that is not likely to be reversed. Even though it might be difficult for some states without public participation experience, they will have to deal with it, to optimally benefit from it in the long run. It further elaborates the reasons, why public participation has gained importance over the last decades.

4.1. Historic Development of Public Participation in Environmental Decision-making

For far too long the contribution to political decision-making by civil society has been severely underestimated. Especially, the pressure for more transparency pushing for an increased level of accountability and general public acceptance of decisions did not enjoy a lot of significance. Nevertheless, with the increase of environmental consciousness, the public started to deal with the human impact on the environment and thus provisions on public involvement gained more and more importance over time. Civil society, NGO's and highly engaged individuals started to promote the inclusion of environmental protection measures within several international frameworks and agreements (Sorsa, 1992).

In 1972, the United Nations Conference on the Human Environment was held in Stockholm, to discuss the global anthropogenic impact on the environment. Initiated by the United Nations Economic, Social and Cultural Organization (UNESCO), this represents the first global conference of this kind. It aimed at providing a platform for Member States to develop general guidelines for the management of natural resources and the environment, as well as to define broad policy goals to address the challenges of enhancing and preserving the environment on a global level. Prior to this Conference an intergovernmental Working Group had been assigned with the drafting of the text. There was general agreement, that the declaration should not be formulated in legally binding language. Nevertheless, the degree of specificity of the principles and guidelines, and how State's rights and obligations towards the environment should be included, represented major challenges in the preparing negotiations. Differences of opinion among Member States also concerned the role of the individual for a

satisfactory environment. Even though progress was slow, the working group had set up a draft text by January 1972, to be discussed at the Stockholm Conference. The resulting document, the Stockholm Declaration, had been adopted by 16 June 1972 (Handl, 2012).

Even though the Stockholm Declaration does not entail detailed normative positions, but rather provides recommended guidelines, it resulted in an increase of environmental consciousness and encouraged organizations and states to develop administrative structures, such as Environmental Ministries and Institutions to deal and cope with environmental decision-making on a national, regional and local level. Furthermore, it led to the setting up of a specialized Organization within the UN System – the United Nations Environmental Program (UNEP) which is based in the fourth UN Headquarter in Nairobi (Loibl, 2000). Today UNEP is known as the leading global environmental authority, and deals with different environmental aspects and its link to sustainable development. Altogether, the Stockholm Declaration triggered a tremendous movement and a changing attitude towards environmental issues. Thus it does not only represent the starting point for the management of those issues on a political level, it rather constitutes the gateway for drawing public and political attention to concerns about our human environment (Handl, 2012).

Twenty years later, 176 governments, 100 heads of state or government, 10 000 delegates, 1400 NGO's and 9000 journalists came together in Rio De Janeiro, for the United Nations Conference on Environment and Development (UNCED), in what was one of the largest events of its kind (UNEP, 1997). Originally, the drafting of an „Earth Charter“, a declaration elaborating on the legal rights and obligations bearing on the environment and development, was the goal of this Conference. Even though the resulting text balancing the interests of all Member States, was not the document initially envisaged, the Rio Declaration, reaffirms and builds upon the Stockholm Declaration and deals with issues, such as the difficult relationship between Trade and the Environment, the conflict between developed and developing countries, and most importantly for the present study, it deals with public participation in environmental decision-making (Handl, 2012). Principle 10 of the respective declaration elaborates on this concept and highlights the importance of the inclusion of the public to increase environmental governance, by setting forth the three essential access rights, which read as follows:

„Environmental issues are best handled with the participation of all concerned citizens at the relevant level. At the national level, each individual shall have appropriate access

to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.“ (Rio Declaration Principle 10 UNEP, 1992)

As this was the first time, that public participation in environmental decision-making had been included in a document of this kind, it serves not only as a politically binding principle on a global level, but also represents a pioneer concept transforming environmental law making as a whole, by linking environmental management and democratic governance (Handl, 2012).

On the EU level, this principle is reflected in the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters – the Aarhus Convention, which has been briefly introduced in the first sections of this research. The Convention is named after its three pillars, which constitute its most essential elements. The first pillar regulates access to information, the second addresses public participation in decision-making and the third aims to guarantee access to justice in environmental matters. The adoption of the Aarhus Convention, by the UN Economic Commission for Europe (UNECE) in 1998 represents a significant success, as Principle 10 has thus been implemented in a legally binding document. It obliges its ratifying nations to ensure the access rights and to further promote the Articles of the Convention in international environmental decision-making processes (UNECE, 1998). Former UN Secretary General Kofi Annan even recognized it as „the most ambitious venture in the area of environmental democracy so far undertaken under the auspices of the United Nations.“ (UNEP, 2001). As of August 2016 47 states from Western Europe to Central Asia have adopted the Aarhus Convention (UNECE, 2016). . The European Union adopted two Directives covering the first and second pillars of the Aarhus Convention, namely Directive 90/313/EEC on public access to environmental information and Directive 2003/35/EC on public participation in respect of the drawing up of certain plans and programmes relating to the environment. These Directives were to be implemented by the EU Member States by 2005. One year later, in 2006, the Aarhus Regulation has been adopted, which refers to the application of the provisions the Aarhus Convention. Public Participation provisions can also be found in a few other Directives, one of which is the Water Framework Directive (European Commission, 2016).

Moreover, Principle 10 found its way in numerous other resolutions adopted by international organizations and intergovernmental conferences as well. Its commitments are specifically reviewed in the context of Rio+ 20, and some scholars even argue that the rights of access to information, public participation and access to justice have achieved an established human rights status. Even though substantial success has been achieved in this regard, concerns still remain about the actual domestic implementation of Principle 10 (Handl, 2012).

4.2. Public Participation in the Water Framework Directive

The WFD builds on the principles on Public Participation set forth in the Aarhus Convention, and thus represents one of the first Directives providing legal constraints to involving the public in decisions to reach good quality status of the rivers managed by it (European Commission, 2016). Even though there is no blueprint on public participation and the ways to ensure it can be manifold, the European Commission and the Member States of the Directive worked on the Common Implementation Strategy, in order to set guidelines to support the establishment of a framework for community action in water management. The WFD refers to Public Participation in Preamble 14, where it specifically highlights the success, which relies on collaboration with the Community and involvement of the public, including users. In Preamble 46, encouraging the active involvement of interested parties is mentioned. The most relevant article for this Thesis is Article 14, as it explains the process of involving the public in detail. Finally, the Annex refers to “Educational Projects” as an example for public participation (WFD, 2000).

However, when ensuring Article 14 in practice various aspects have to be taken into account. Implementing public participation in environmental decision-making requires thought-through planning, as well as a coherent identification, of who can influence the outcome and how it is granted. 450 Million European citizens are directly or indirectly affected by European water policy. The WFD gives each and every citizen the possibility to give his/her opinion about what they consider as the main water problems and what measures or methods they would prioritize in order to tackle those issues. But which benefits can be expected from including public participation in this Directive? A working Group established by the European Commission, to set guidelines on public participation in relation to the WFD sums up several potential benefits (CIS, 2003).

First and foremost, it increases public awareness of environmental issues as well as the ecological situation in the related river basin district and local catchment. Furthermore, all stakeholders have different experiences and provide complex and differing knowledge, which can be used to improve the quality of the RBMPs. It provides a more comprehensive view towards the whole situation and makes it possible to take differing interests into consideration, at least to a certain extent. It is not possible to only recognize economic interests to the detriment of the environment and the citizens. Neither is it beneficial to merely look at environmental factors. A balance of all interests is needed to guarantee acceptance, commitment and support. It leads to less litigation and misunderstandings, which otherwise could result in higher costs and efficiency loss. By means of constructive open discussions and dialogues with all relevant parties involved, these disadvantages can be avoided. All in all, it leads to a more transparent as well as to more creative decision-making, which also enables the public to intervene, if the authorities do not comply with their promises (CIS, 2003).

The Water Framework Directive is one of the first Directives including Public Participation in its legal framework (European Commission, 2016). However, the highest level of public involvement is supposed to occur through consultations, exchange of information and discussions. The active involvement of the public is not obligatory, but only encouraged (WFD, 2000). Although credit is due to the public participation provisions of the Directive, one must also consider its limitations. Participation alone, thus, does not necessarily lead to sustainable and successful outcomes. On the one hand, it is true that democratic governance of water management related issues can lead to a balancing of divergent interests, as well as to a system of checks and balances. On the other hand, it is often difficult to ensure fairness regarding the involvement of different stakeholders. Some have sufficient and sustainable funds to pursue their lobbying goals and get into the networks where decisions are made, but a majority of stakeholders does not have the same possibility. Furthermore, involving the public in the decision-making process may also result in blockages and lead to an increase in complexity. The interest of many can be an advantage, yet if there is a lack of direction and rules, as to who can contribute how much it is unlikely that public participation leads to more sustainable and successful solutions (Feldmann, 2012).

For the sake of completeness, it should be mentioned, that another limitation is, that the WFD can only bind its members, namely the Member States of the EU, Norway and Switzerland. However, in cases where rivers border non-EU States, coordination, as well as collaboration

gets increasingly difficult (Boeuf & Fritsch, 2016). Since this research only examines the situation in France and in Austria, this limitation does not influence this case.

4.2.1. Article 14 – The participatory approach in the Water Framework Directive

With all its advantages and disadvantages the public is involved throughout all stages of the WFD decision-making processes, starting with the drafting of RBMP to the final drawing up of the official management plans that are to be published. Civil society must be included in the preparation process of these management plans, in order to ensure the best possible outcome. After issuing a draft, which includes all relevant background information, which led to certain decisions, these must be made accessible to the public. These plans shall be revised every six years. Consequently, every six years fresh consultations are required in order to renew the RBPMs. (CIS, 2003). The Member States are obliged to supply sufficient information and advertise the participation possibility adequately – NGO's, individuals, associations and the private sector then have six months to make written comments on the draft RBMP, and communicate their recommendations, as well as their concerns. Subsequently, the administrative authorities have some time to review the statements made by the public and are obliged to consider them in the review of the new RBMP (WFD, 2000). Moreover, the Statements shall be published and made available for the public to read. Discussions need to be enabled to identify the gap between expected performance and actual performance. By evaluating the results of the past six years, corrective actions can be elaborated in order to improve the implementation of the revised plans for the following 6 years (CIS, 2003). For those who want to participate more actively, than merely being up to date through provided information, consultations are a good opportunity to be involved. In consultations, parties with an interest in the outcome of the decisions – be it experts, citizens, associations, highly engaged individuals, industrial representatives or other stakeholders – are consulted by administrative authorities, in order to exchange information and to get an insight on their views, perceptions and suggestions. As soon as a report is drafted, the public is invited to comment in writing, by making statements, through which they can communicate their ideas, concerns and recommendations (CIS, 2003). Article 14 (1) only strictly requires at least written consultations, however the Member States often organize round tables or other discussions, where the public can make oral statements as well, in order to enable some kind of dialog between stakeholders and authorities (WFD, 2000).

The exchange of information and discussions should take place at an early stage. Experience has shown, that in numerous cases, the Member States were far behind the deadline and

therefore the exchange of points of views and information fell short. The Water Framework Directives aims at avoiding this problem, by setting guidelines on how the public should be involved in the decision-making processes. Public users and experts are invited to comment and to participate in discussions on water management related issues (CIS, 2003).

Planning process

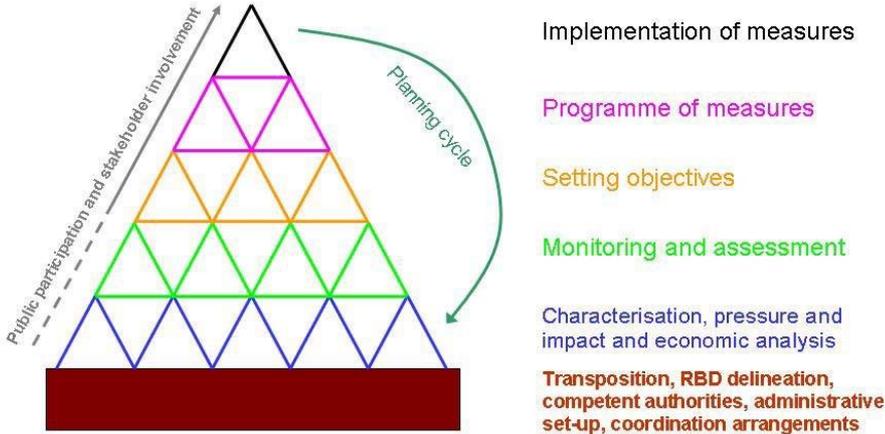


Figure I:

Schematic representation of the WFD planning process (CIS, 2003).

Figure 1 illustrates the milestones, which have to be achieved in order to be able to implement the measures of the RBMP. It shows that since the characterization of pressures, impacts and the economic analysis the public played a central role in the planning and drafting process of the RBMP. Before a successful public participation can be started a proper stakeholder analysis is necessary, to involve the public in the whole planning process (CIS, 2003). The information used in most of the relevant documents uses a rather technical language. Enough time is needed by interested stakeholders to understand the information given in those documents. This also demonstrates the necessity of starting the public participation process early enough (Jager et al., 2016). In order to support the Member States in doing that, the Guidance Document on Public Participation, drafted by the European Commission, provides a stakeholder analysis in its Annex 1 (CIS, 2003).

Article 14 defines three crucial ways for public participation – information supply, consultation and active involvement. The Water Framework Directive obliges the states to

ensure the first two. Another important aspect, the desired input of the public relies on authentic and easily accessible background information, as this is the foundation for any form of public participation. The Member States are obliged to comply with these key provisions of Article 14 (CIS, 2003). As active involvement in all aspects of the implementation process is the highest form of participation, Article 14 finally states that it should be highly encouraged by the Member States (WFD, 2000). It does however not further indicate, how or to what extent this should be achieved. In this regard, however, it is important to notice that this is quite a new process and might be unfamiliar for a number of responsible administrations (WWF&EEP, 2004).

The Water Framework Directive further suggests a time plan for public participation, which should be started in 2006 at the latest. However, the CIS guidance document advises to start as early as possible before decisions are made. This is important in order to increase the benefit of public participation. The CIS document clearly states, that public authorities can only benefit optimally, when starting early – in fact, it is never too early to involve the public (CIS, 2003).

5. Results

5.1. Implementation in Austria and France

Austria and France use different public involvement strategies. This section of the Thesis provides an analysis of various aspects of actions taken by the government and discusses the findings in order to answer the research questions. For this chapter it has to be noted, that since both countries use different strategies, the information they provide differs as well, which is why the results are presented in different ways for both countries.

5.1.1. Implementation in Austria

The Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management, which is the administrative authority responsible to deal with water related concerns in Austria, highlights the importance of informing and sensitizing the public about water quality and water management related issues. The Ministry aims to achieve this by implementing targeted activities and campaigns. The Ministry states, that the goal is to communicate the value of water, to encourage a more careful use of water, to point out its dangers, and at the same time convey its recreational value. In its introductory statement, it says that the Water Framework Directive, demanding public participation in its decision-making processes, represents an important milestone in the development of water policy. Raising awareness and public relations in that regard is future- and service oriented. Therefore the Ministry makes use of modern communication technologies, such as Facebook, Google Earth and the interactive platform www.wasseraktiv.at, in order to reach a larger group of people. Furthermore, the Ministry is engaged in various campaigns to reach the broader public (BMLFUW, 2015b). In the following section the main activities hosted by the Austrian administrative bodies to encourage public participation and consultation, will be presented.

Information Supply and Outreach Activities

The administrative bodies started various campaigns to raise awareness among different target groups. There are three main websites providing information on water management in Austria. Firstly, the water informationsystem website <http://wisa.bmlfuw.gv.at>, serves as the central platform and provides access to data and information about Austria's Water Management. National RBMP and Flood Risk Management Plans, including all relevant background information is published on this website. Interactive GIS (abbreviation stands for

Geo information systems) maps have been integrated, in order to demonstrate the status of Austria's water and gives the user access to information on all aquatic bodies in the country.

Another website, www.generationblue.at has been implemented, in order to raise awareness among adolescents. This platform informs the younger public about the role of water in life, but also about water management and what it takes to keep waters clean. Through various activities, like photo competitions, organizing events etc. adolescents should be motivated to learn about water and to contribute to reduce water pollution. Besides providing teaching material for teachers and for pupils, the platform recommends excursions to museums, wastewater treatment plants, rivers and lakes in order to deepen the knowledge about water, life under water and water related issues. Numerous places from Vienna to Bregenz are suggested, thus there are possibilities for any school no matter in which federal province it is located (Ministerium für ein Lebenswertes Österreich, 2013).

The third website is called www.wasseraktiv.at and aims at providing the public an opportunity to get informed about current matters, actions and events. While WISA is supposed to preferably address interested specialists and stakeholders with a certain degree of expertise, Wasseraktiv has been set up as an additional website due to demanded public participation in Article 14 of the WFD, in 2009 before the public participation process for the 2009 RBMP started, in order to reach a wider audience (Lebensministerium, 2014). This website further serves as a liason to the Social Media Tools, such as Twitter, Facebook and Flickr. The goal is to provide comprehensible information about water related matters and to raise awareness for it. The knowledge provided on this website should enable also the broader public to participate in the decision making processes. The possibility to submit written comments to the drafts of the RBMP was advertised on this platform as well. The online voting tool, the possibility to upload pictures of waters and submitting individual comments about water related matters had been widely used. In the scope of the online voting tool, people were able to answer six questions in order to know what the public thinks about the goals and improvement measures suggested for Austrian aquatic bodies. These questions should also help the administrative bodies to find out whether they were able to communicate their ideas clearly enough. The public also had the opportunity to suggest new ideas to improve the relevant plans and programs, or to further develop collaboration with interested parties, in regards to the implementation of the RBMP. Written comments were accepted until 21 July 2015 and considered for the next six years Management Cycle 2015-2021

(BMLFUW, 2015c). Results thereof are discussed in the following subsection under “Consultations”.

In order to raise awareness among those who do not visit the mentioned websites, numerous events are organized. 22 March, the **World Water Day**, decided by the United Nations General Assembly, is used to celebrate water and to learn how water can be managed in the future. It aims at inspiring people to take action and to tell others to take action, to reduce water pollution and enhance its quality. This day is also a result of the 1992 Rio Conference on Environment and Development and has been held annually since March 1993 (UN Water, 2015)

Consultations

As discussed in the previous section the WFD requires the Member States to start with the public participation process prior to 2006, but suggests to start as early as possible (CIS, 2003). Austria started with this process in 2005 by issuing a brochure called „Guiding Principles for our Water“ (Eine Leitlinie für unser Wasser), in which the WFD and a timeline for the development of the national RBMPs had been presented. It gave a preliminary overview about the most relevant questions related to water management. Stakeholders were invited to submit written comments until September 2007. However, only one comment has been submitted and was subsequently published by the Ministry. Another measure for public participation is the „round table“, which has been introduced in 2005. It is an attempt to provide an open dialog, where different stakeholders can discuss the development of Austrian water management, on an equal footing. Representatives of nationally operating organizations and associations coming from various fields such as the industry, agriculture, local communities, environmental organizations et cetera participate in this open dialogues, in order to introduce their interests. In addition to active participation the goal of the round table is to learn from the experiences, best practices and concerns of all stakeholders and to ultimately create an atmosphere of mutual understanding, as well as a joint processing of perceived problems (NGP, 2009).

At the end of 2009, the first draft RBMP was made available to the public for written statements. In accordance with Article 14 of the WFD the public was given six months to review the draft plan, as well as to submit written comments. All necessary background documents were published on wisa.lebensministerium.at. Interested parties had the possibility to express their opinion either by filling out a statement form, write an email or send it by post. Officially 379 statements have been received. A document illustrating and explaining

the consideration or non-consideration of the written comments has been published on the same website and is still available for download (Lebensministerium, 2014). According to Harald Marent, responsible for Public Participation in the scope of the WFD in the Austrian Ministry for the Environment the wisa.lebensministerium.at website has been rearranged and now uses a new technology¹ (Marent 2015, Appendix I). This is why, the individual statements from the public participation process prior to the adoption of the 2009 RBMP, are no longer available on the WISA website. A general idea about the comments submitted however can be gained through the response document (Lebensministerium, 2014).

In order to keep the general public involved, the Ministry distributed 10 000 illustrative brochures about the WFD and intensified the outreach by releasing 50 000 Flyers illustrating the possibilities of public participation (NGP, 2009). All statements the Ministry received until October 2009 have been considered in the national river basin management plans and have been published on the website. It shows how the public has been taken into consideration. By the end of the first cycle, 79 statements have been made concerning the 2015 RBMP, 14 of which have been made by private individuals. The majority of the statements were submitted by organized groups such as NGO's, local associations or industrial representatives. Further concerns have been voiced by affected individuals like water sports enthusiasts such as canoeists or rafters, but also from farmers and fishermen. They dispose over expert knowledge in the waters that affect them (BMLFUW, 2015c).

Figure 2 demonstrates the chapters of the draft RBMP 2009, which have been mainly referred to by the public. The Austrian Ministry for Environment published a response document, which serves as a tool to comment on the submitted statements. It provides an insight in the points that have been raised by stakeholders and assigned these points to the corresponding chapter. The Ministry published their response to all of these points by either justifying, how the RBMP has been set up, what methods have been used to determine data or promised efforts to include or correct some points addressed by the public.

¹ The email exchange can be found in Appendix I.

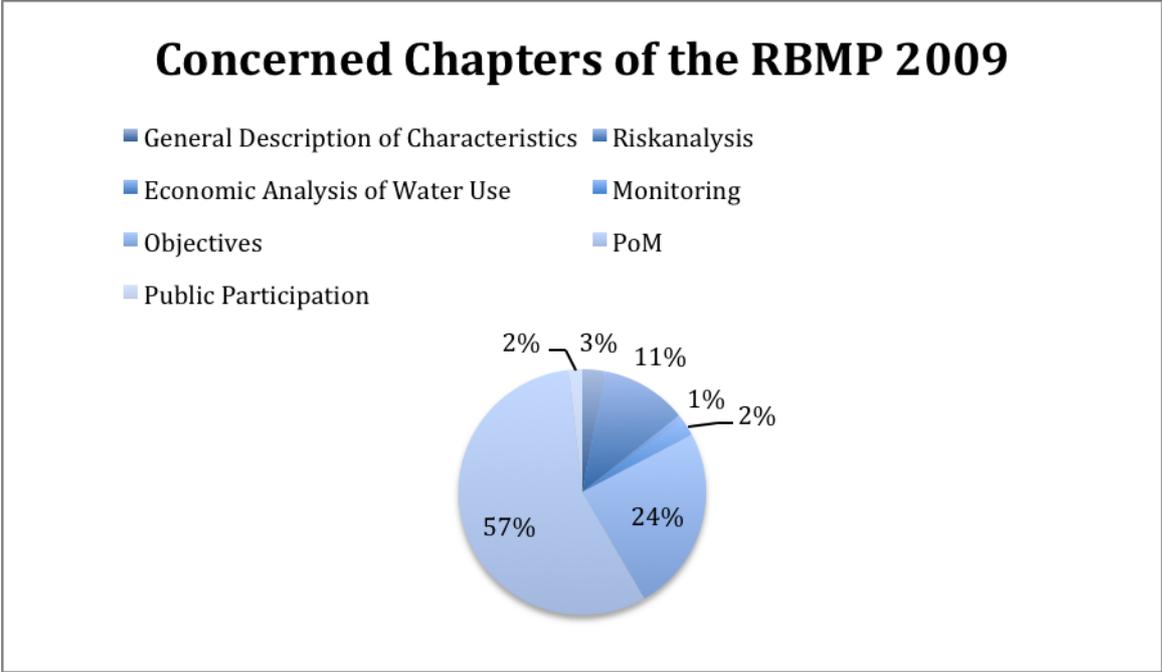


Figure 2: Statements according to chapters concerned in RBMP 2009 (Lebensministerium, 2014)

The figure clearly shows the most relevant chapter for the public was the **PoM**. Main concerns in this regard were voiced about the use of hydropower. Arguments both, for and against an expansion of hydropower have been made. NGO representatives requested a clear designation for go/NoGo areas for hydropower plants, which still haven't been considered in the RBMPs (Lebensministerium, 2014). These NoGo areas should legally protect sensitive areas with very good to good water status. So far only non-binding guidelines have been established to counteract arbitrary power plant expansions, but as the part about Access to Justice, will show more clearly, that this was not particularly successful (Weber & Rametsteiner, 2013). Furthermore, stakeholders asked for increased awareness regarding pesticides and crop protection products. This request has been fulfilled – the Ministry for Environment enhanced the section about this issue in the RBMP. In regards to agriculture, stakeholders asked for enhanced public relations work with agricultural representatives in order to increase voluntary measures from their side in order to decrease impacts due to agriculture. The Ministry recognized this as a good point and made efforts to comply with this request. Next to the Measures, submitted Statements referred to chapter 5 of the RBMP – **objectives**. In this regard, stakeholders were concerned about poor water status evaluations. In this regard the Ministry either explained how it came to its conclusions or requested the federal states (Bundesländer) to correct evaluations, where necessary. Considering **impacts and pressures**, the public was curious about the methods to determine the impacts and

pressures – the Ministry explained the methods and clarified how it came to its conclusions. Concerns regarding the **risk analysis** mainly required explanations about the methodology. Regarding the public participation process itself, stakeholders expressed wishes for enhanced media coverage, more cooperation with stakeholders as well more simplified and clear structured information about water related issues. According to the response document, the Ministry responded that stakeholders have been involved, which can be shown by the hundreds of submitted statements, nevertheless it is making efforts to improve information published on the Internet, as it was difficult to access some relevant documents (Lebensministerium, 2014).

Difficulties arose, when attempting to research to what extent statements made by stakeholders, have been taken into account, when setting up the 2015 RBMP. The central information platform published all the various statements made by the public and announced that a report regarding the extent of consideration of these statements in the RBMP will be made public after the public participation phase ends – it ended on the 21 July 2015. To date – September 2016 – no report has been published yet. Upon request, the responsible authority claimed that the 2015 RBMP have not been finalized yet and therefore no results on the extent of inclusion of comments and statements made by the public can be demonstrated. Only after the 2015 RBMP have been finalized, the results of public participation will be published on the general information website, stated by Mr. Robert Fenz, head of department for international water politics. He expects the Plans to be finalized by summer 2016² (Marent, Fenz 2016, Appendix II). However, the following paragraphs illustrate the main points that were raised in those statements.

NGO's and environmental ombudsmen offices argued that the PoM is not ambitious enough in order to reach the objectives of the WFD. They highlighted the decision made by the ECJ regarding the non-deterioration clause and demand its reflection in the RBMP 2015. Hydropower plant projects should further tailor the ecological protection of the rivers. No-go areas, meaning areas in which no hydropower plants should be build, because of the unique nature of the rivers should be enhanced and more strongly promoted and highlighted in the RBMP. Information is not always transparent, which unreasonably restricts the participation of NGO's in contributing substantially. Furthermore, they are concerned that poor financing of measures might be a risk of failing to achieve a good status (Oberösterreichische Umwelthanwaltschaft, 2015; WWF Österreich, 2015; Umweltorganisation VIRUS, 2015;

² email conversation is available in Appendix II

Österreichische Umweltschutzanstalt, 2015). Another environmental organization for the protection of the environment in Vorarlberg complained that the information provided for NGO's is not transparent enough to be fully informed about the actions taken to achieve the objectives of the WFD. This complicates the participation of NGO's in the formulation of the RBMP. Furthermore, consultations every six years is not enough to be properly involved in the decision-making process. Therefore, the organization recommends to involve environmental organizations at an earlier stage of the participation process (Vorarlberg Naturschutzanstalt-Birdlife-Naturschutzbund, 2005). The Austrian Environmental Umbrella Organization commends the organization of round tables, where different stakeholders came together to discuss the RBMPs, however it remains a big challenge to let the public influence the formulation of key documents. Discussions have still taken place on an experts level, which is why there is a need to communicate information on water management probably. Furthermore, it suggests the strengthening of water legislation as well as more ambitious measures to achieve the objectives set by the WFD (Umweltdachverband, 2015).

From the industry side, the Austrian Economic Chamber representing all businesses in Austria, thought that the document is too overloaded and should be simplified, for example by separating the documents in more manageable documents, which would enhance comprehensibility as well as the readability of the RBMP. The Austrian Economic Chamber commends the customer oriented website wisa.at and also states that the proposed measures to achieve the objective of the WFD are sufficient. However, it believes that regarding hydropower projects the energy policy point of view should not be opposed by an overriding public interest and disapproves of the so-called NoGo areas. Thus it completely opposes the opinions expressed by the environmental organizations. Furthermore, the Economic Chamber pushes for more cost efficiency in the implementation of the measures. For example they complained about disproportionately high fish lifts and thus suggests that economic framework conditions are considered in the decision-making process (Wirtschaftskammer Österreich, 2015). The energy company Verbund Hydropower also agrees with the Austrian Economic Chamber and demands that further implementation plans consider a cost-benefit analysis taking into account the economic framework conditions, as the costs are often a high burden for the company. Verbund further points out that there are some ambiguities and unclear points that might concern their company (Verbund Hydropower, 2015). The Austrian advocacy group for Austrian Energy adds to that and pushes for discussions to find a

compromise regarding the expansion of hydropower plants and the non-deterioration clause and opposes NoGo areas (Österreichs Energie, 2015).

Concerning associations, the Austrian fishermen's association voices concerns about unclear formulations when it comes to determining a good status of aquatic bodies, or heavily modified water bodies and seeks clarifications in that regard. Furthermore, a guiding document on how measures to reduce hydro- morphological pressures should be implemented could be helpful to achieve the goals set by the WFD. In regards to public participation, it also commends the round table, as this is a good platform for different stakeholders to come together, but pushes for more information and awareness raising to illustrate the importance and urgency of the River Basin Management Plans. Better public participation results could be achieved, when collaborating more closely with local municipalities (Österreichischer Fischereiverband, 2015). The Austrian umbrella organization for fishermen further complains about the expansion of hydropower projects and similarly as the statements from other environmental organizations pushes for the consideration of the ECJ ruling of 2015 (detailed explanation can be found in the section of Access to Justice) (Österreichisches Kuratorium für Fischerei und Gewässerschutz, 2015).

A few statements were, also submitted by the general public. Peter Feldhammer for example clarified that good water permeability is not only relevant for fish, but also relevant for water sports enthusiasts. He also complained about the expansion of hydropower projects and requests a designation of protected NoGo areas (Feldhammer, 2015). Paul Matt, a canoeist made the same points. He complains that the public did not have a say in the exhausting discussions about hydropower projects in specific areas (Matt, 2015).

All submitted statement from the 2015 consultation process can be accessed under the following link: <http://wisa.bmlfuw.gv.at/fachinformation/ngp/ngp-2015/oea.html>

This is a summary of the opinions expressed by the different stakeholders in the submitted statements. In conclusion NGO's, environmental and sports organizations or associations oppose the expansion of hydro power projects as it has an adverse effect on the aquatic bodies and therefore demand a designation of NoGo areas. Furthermore, they push for more information and education in regards to water management. They also believe that the measures taken to reduce water pollution could be more ambitious and that more financial resources have to be used in order to achieve the goals set by the WFD. Industry

representatives oppose the idea of the designation of NoGo areas and push for more cost efficiency in the implementation of the measures, but generally agree with the priorities set by the RBMP. Many, environmental organizations as well as private companies, commend the round table as a platform bringing representatives with different interests together. Even though there are many diverging interests, in the long run it will be necessary to find a compromise.

The Austrian Ministry for Environment did not issue a response document yet and apparently hasn't finalized the 2015 RBMP yet. Therefore an illustrative graphic, such as for the 2009 consultations was not possible. Moreover, it can not be said how the opinion of the stakeholders has influenced the new RBMP. Without communicating such reports to the participating organizations, associations or individuals, as well as publishing them for the general public to read, transparency, which should be a highly relevant goal of public participation, cannot be guaranteed. This has also been criticized by environmental NGO's, such as the World Wide Fund for Nature Austria. In the framework of involving the broader public, the currently provided information has failed to demonstrate results and developments in a transparent and comprehensible manner (WWF Austria, 2015).

Active Participation

There are some seminars and dialogues provided by the Austrian Ministry for Environment to raise awareness among stakeholders and the general public. According to RBMP 2009, the federal provinces and regional administrative authorities organized various informational events, in order to deepen the issue of water management, also on a regional level. The events have been published on wasseraktiv.at. (NGP, 2009). Furthermore, there are dialogues on Flood Risk Management Plans, which are organized by the Ministry for Environment, but serves more as information supply rather than active involvement (BMFLUW, 2015a). In addition the ICPDR has its own public participation strategy, however only targets organized stakeholders and invites them to dialogues and seminars. In order reach the general public it relies on the national authorities to do so (ICPDR, 2004). Further than that it was difficult to find information on Austria's national strategy on actively involving the public.

Access to Justice

Section three already referred to Austria's plans to expand on hydropower projects. Many NGO's complained about that, because it would cause deterioration in the rivers in question

and thus would not be in compliance with the „no-deterioration“ clause of the WFD (WWF Austria, 2014). The only exception to this regulation is defined in Article 4 (7) and requires the demonstration of an overriding public interest, however it is not defined what an overriding public interest might be (WFD, 2000). Numerous concerns came up about the construction of a proposed power plant at the Schwarze Sulm River in Styria, which counts as one of the longest undisturbed rivers in the region. In 2007, the construction of the hydropower project, which would cause serious deterioration in the quality of the river, had been authorized by the regional authority, arguing that an exemption from the „no-deterioration“ clause is given on grounds of an overriding public interest – a guarantee of energy supply. The Austrian Federal Ministry of Environment revoked this authorization in 2009, arguing that positive effects, such as the creation of new jobs, investments, economic value and the production of clean energy is not sufficient to prove an overriding public interest. Otherwise this would mean, that the construction of every power plant project has to be authorized, due to overriding public interest and the exception rule would become the standard solution for the authorization of such projects. This, however was not the intention of the legislator in the framework of the implementation of the WFD. In contrast, the protection of ecologically valuable and natural rivers should be enhanced by it (Kammerer & Goby, 2014). However, Austria’s constitutional court dismissed the revocation three years later, exclusively on formal grounds, which meant that the authorization of the hydropower project came back into force (Kammerer & Goby, 2014). As a consequence, it was also no longer possible to challenge this ruling before a national court. In the review of the authorization decision, the regional authority decided to downgrade the quality of the river, arguing that an exemption from the non-deterioration clause is no longer relevant. This is why the European Commission initiated an infringement procedure and finally referred the case to the European Court of Justice, because there was a high risk of setting a negative precedent for other similar projects in Austria (European Commission, 2015).

According to the coordination office of environmental organizations in Austria – the Ökobüro - an insufficient implementation of the Aarhus Convention, hindered environmental organizations to intervene in the Schwarze Sulm case. Otherwise their role could have been used, in order to prove shortcomings in the authorization of the project. In March 2010, the Ökobüro submitted a communication to the review Committee of the Aarhus Convention, alleging the failure of compliance with its obligations under the Convention, in particular regarding time limits in article 4 (2), and in conjunction with this, non-compliance regarding

article 9. According to Article 9 (2) and 9 (3) of the Aarhus Convention, regarding access to justice for members of the public concerned and for Environmental Organizations, in case an administrative authority harms national environmental law, such as in the case of the hydropower project at the Schwarze Sulm river (Aarhus Convention, 1998). Furthermore, the Ökobüro stated that in many cases access to justice is inadequate or not effective, injunctions are not granted and moreover concerns have been voiced regarding the elevated costs of legal procedures (Ökobüro, 2014a). However, Austria failed to transpose this article into national law, but since the Aarhus Convention has been integrated in EU Law, it overrides national law. The Aarhus Convention Compliance Committee - the reviewing body of the Aarhus Convention - decided in the case against Austria (ACCC/C/2010/48), that the legal position in this case is a violation against the Aarhus Convention, and thus also a violation against EU law. This ruling represents a milestone, especially for environmental NGO's. Now it is up to Austria, to amend the law accordingly (Ökobüro, 2014b).

Another milestone was reached, when the European Court of Justice (ECJ) strengthened regulations on water quality in regards to the “non-deterioration clause”, after being asked by the German Court on how to interpret the Directive. In decision C-461/13 the ECJ ruled that the goal of the WFD is to achieve good quality in all waters in the EU until 2015. Therefore the Directive does not even allow deterioration within the same quality class. This ruling represents a landmark for environmental organizations (ECJ, 2015). According to the Ökobüro, it will have a significant influence on further authorizations of hydropower projects. Since exceptions, on grounds of an overriding public interest have been granted too frivolously and thus led to an unsustainable way of improving the quality of surface waters, the ECJ highlights the goal of the WFD (Ökobüro, 2015a). However, as the summary of statements shows, this ruling has not been taken into consideration in the draft RBMP 2009. It remains to be seen, whether the Austrian Ministry will take concrete steps to reflect this issue in the new RBMP.

Environmental organizations and the Viennese Ombudsoffice for environmental protection jointly, called for an amendment of the law for environmental impact assessment, in order to alleviate unreasonable restrictions and barriers for effective public participation, already in 2008. The Ökobüro specifically mentioned the Schwarze Sulm, and other Hydropower plant cases in its position paper, when making those demands (Mittendorfer, 2008). Eight years and an infringement procedure by the European Commission later, it was up to the higher

administrative court of Austria to decide, what will be done in this case (WWF Austria, 2016). To the regret of environmental organizations, the higher administrative court decided, that environmental organizations do not get a recognized party status in such cases. This ruling was justified by claiming that Union Law is not clear in this case, which is why it is up to national law to decide how such a case is dealt with. Furthermore, the court argued, that the ruling regarding Article 9 of the Aarhus Convention does not apply in this case, as it is not part of an Environmental Impact Assessment (VWGH, 2016).

In 2015, another question about the standing of environmental organizations in legal cases has been brought to the ECJ. Austria's constitutional court asked the ECJ (in a case about a hydro power plant in Tyrol), whether the exclusion of Environmental Organizations in legal proceedings according to water law, is in compliance with the WFD and the Aarhus Convention. This is the first time, that an Austrian Supreme Court scrutinized the compliance of national law with the Aarhus convention. The Background of this question concerns a hydro power plant in Tumpen- Habichen in Tyrol, which is currently undergoing an authorization proceeding, in which the participation of Environmental Organizations was explicitly not foreseen. Objections from WWF have been overruled, which led to an appeal to Austria's constitutional court, arguing that the participation of environmental organizations is legit, in an interpretation of national law in line with EU law. In prior cases the constitutional court rejected the application of the Aarhus Convention in Austrian Law. This time however, the question concerns the conformity in line with EU law and examines the necessity of applying the Aarhus Convention in relevant EU legislation, such as the Water laws. This also represents a success for environmental organizations since this is the first time the conformity with Union law is questioned. In previous legislation regarding the application of the Aarhus Convention, the European Court of Justice highlighted the obligation of Member States to implement its provisions (Ökobüro, 2015b).

Summary of above elaborated legal proceedings

2007	<i>Authorization of hydropower project at Schwarze Sulm River</i>
2008	<i>Environmental Organizations and the Viennese Ombudsoffice for environmental protection, called for an amendment of the law for environmental impact assessment, in order to alleviate unreasonable restrictions and barriers for effective public participation</i>
2009	<i>The Austrian Federal Ministry for Environment revoked the authorization of the hydropower projet</i>
2010	<i>The Ökobiüro submits a communication to the review Committee of the Aarhus Convention: because of the insufficient implementation of the Aarhus Convention, environmental organizations were hindered to intervene in the Schwarze Sulm Case</i>
2012	<i>Austria's constitutional court dismissed the revocation, exclusively on formal grounds, therefore the project came back into force</i>
2013	<i>In the review of the authorization decision, the regional authority decided to downgrade the quality of the Schwarze Sulm River</i>
2015	<i>ECJ strengthens regulations on water quality in regards to the non-deterioration clause, after being asked by the German Court on how to interpret the Directive. It decided that the deterioration within the same quality class is not allowed</i>
	<i>In another case concerning a hydropower plant in Tyrol the Austrian Constitutional Court argued that the exclusion of Environmental Organizations in legal proceedings according to water law, is not in compliance with the WFD and the Aarhus Convention -> this represents a huge success for Environmental Organizations</i>
2016	<i>The higher administrative Court decides against party status of environmental cases, like the Schwarze Sulm River Case</i>

Table 1: Summary of legal proceedings

In conclusion, it is quite obvious that the application of the non-deterioration clause represents a particularly disputed issue. On the one hand, stakeholders argue that an expansion of hydropower is crucial to increase renewable energy sources (RES). Since, hydropower technology produces almost zero greenhouse gas emissions, it constitutes a significant element in climate change mitigation. For this reason, an increase in hydropower production contributes to better achieve the EU's 2020 RES targets. Even though the argument is certainly true, it is limited by the fact, that on the other hand each and every hydropower plant also causes hydro- morphological pressures and impacts on natural water bodies and thus counteracts the key intention of the WFD, namely the protection of water quality (Kampa, Von der Weppen, & Dworak, 2011). As a consequence, political decision-making became increasingly challenging in reaching multiple environmental objectives, as two environmental policies result in the conflict – climate change mitigation and the protection of aquatic bodies.

In the example of Austria, one has to further take into account, that currently more than 60% of total electricity produced already originates from hydropower plants (International Energy Agency, 2014). The main possibilities are seen in the construction of small- and mid-sized hydropower plants, to further develop Austria's large hydro potential, which exists due to its alpine topography (Kampa et al., 2011). Environmental organizations, such as the WWF, are concerned with hydropower expansion plans, which threaten the last free flowing rivers, in order to meet the growing energy demand. In addition to more than 5000 hydropower plants, an expansion of 100 more increases the already fundamental hydro- morphological pressure for the Austrian Alpine river system. According to the sceptics, the advantage to meet the growing energy demand would only last for a short term, but in exchange irreversibly harm the remaining intact rivers, especially the integrity of rivers in the Alps (WWF Austria, 2014).

5.1.2. Implementation in France

„L'eau, c'est la vie – Donnez nous votre avis!“ Water is life – give us your opinion: With this slogan France initiated their public participation campaign, in order to seek for the opinion and comments of its population on water related issues. This slogan is used throughout the whole campaign, from the beginning in 2005 and is further used for everything related to public participation in water related issues and thus creates a distinguishing mark. According to the public participation guidance document, public Participation has already been part of water management in the french water law of 1992. Thus, the WFD provisions extend the structures that had already been established by this law. In 2005, a first general consultation of the public, allowed to gain insight in the public's perception about the most crucial water related problems. The actual consultation relevant for the 2009 RBMP took place in 2008 (Ministère de l'Ecologie, 2008).

Since France has a decentralized system of water management, public participation is also organized by a River Basin Agency assigned to a certain River Basin District (Eau France, 2015). Public Participation is carried out by the different River Basin agencies and the federal state as a coordinator. Altogether, the concerted efforts of these Agencies, should achieve the ultimate goal of achieving a good water status as demanded by the WFD (Ministère de l'Ecologie, 2008).

The monitoring of the public participation process is realized through specific commissions focusing on public participation. Those commissions are composed of representatives of

different associations, the private sector, NGO's, water users etc. (Ministère de l'Ecologie, 2008). These commissions represent the local branch of the Basin Committees. Prior to the WFD, governmental and non-state actors held up to 25%. 50% of the seats were held by, local elected representatives. After the WFD has been transposed into french law, this composition changed. Now non-state actors, such as NGOs, associations etc. and local government representatives hold up to 40% each. State representatives now hold up 20% (Jager et al., Transforming European Water Governance? Participation and River basin Management under the EU Water Framework Directive in 13 Member States, 2016). They define guidelines for actions for the River Basin Agencies, develop the RBMP and advise on the PoM. River Basin Agencies are public institutions of the state and serve as a technical Secretariat of the basin commissions. The water agencies receive financial contributions from the people, to levy on the modernization of collection networks (Ministère de l'Ecologie, 2008). They provide subsidies and zero-interest loans to people or companies investing in pollution- or abstraction-control infrastructures, while being supervised by a water parliament, which represents users. (EASAC, 2010b).

Information Supply and Outreach Activities

The communication campaign is advertised through the radio (France Inter, France Info, Europe 1, RTL and RMC) and billboards throughout the country. Additionally, the regional and local administrations organize debates, public forums, exhibitions and discussions to inform the public about water related issues in France (Ministère de l'Ecologie, 2008). The responsible Water Agencies set up websites to inform the public about water related issues and contains the RBMPs and its accompanying documents. The central website linking to the specific Water Agencies, is managed by the National Office for Water and Aquatic Environments (ONEMA) – www.eaufrance.fr (Ministère de l'Ecologie, 2008). An infographic demonstrates the six metropolitan river basins and links to the individual websites of each water agency, where information about local activities and events can be gained. The whole website is built to inform the public about their right to participation, which makes it more than a mere information website, but encourages the public to truly get involved in the participation process. The website in general informs the public in an interactive and easily comprehensible way, but also leads to the relevant documents, which use a more professional language (les Agences de l'Eau, 2016).

For young adolescents and those with a stronger affinity to technology, there is an application for mobile phones and tablets, called “qualité rivière” (River quality) which has been developed by the french administrative bodies. This app provides each inhabitant or curious person the knowledge about the current state of quality in a river of interest. All information about the quality of water, its improvements, the impacts and pressures can be gathered by downloading an application, available for mobile phones and tablets. It shows information about health parameters, aquatic life, pollutants and acidity. It is organized with an interactive chart stating the quality status from „very good“ to „bad“. Additionally, it indicates the evolution of the water quality over the past three years. Tests and quizzes help the user to improve their knowledge about water in general, how they can avoid pollution, what impact climate change has on the water quality etc. This innovative application is the outcome of comprehensive analysis, led by the Water Agencies in the framework of providing an information system. The Water Agencies collaborated with partners, responsible for the technical management of the „Qualité Rivière“ the partners ONEMA and DREAL. They ensure the quality of the water and surveillance network and rely on 5000 surveillance stations, in accordance with European standards of the Water Framework Directive. By collecting more than 10 Millions of individual data throughout every year. The goal of this application is first of all to raise awareness, especially among adolescents and young adults, but also to appreciate the efforts taken to ensure a high level of quality in Europe’s waters. The app can be downloaded for free on the AppStore or the Android Market and similar to other apps, it is also possible to share information or interesting facts on Facebook and Twitter (Agences de l'Eau, 2013).



Figure 3: Application „Qualité rivière (Agences de l'Eau, 2013)

Figure 3 shows how this app looks like on a phone or a tablet. With this app, the younger population and the broad public is specifically targeted. No expert knowledge about Water

Management is necessary. It is fun to use and provides important up to date information, designed with clear display, about the french rivers. Even if one does not use it regularly, awareness is raised about water related issues.

Furthermore the dates for the consultations are advertised via the national as well as the regional press two months in advance, in order to strengthen awareness about the consultation time (Ministère de l'Ecologie, 2008).

Consultations

When a first consultation took place in 2005, to get an overview about what the public considers as major problems in water pollution and water management, the Rhine-Meuse District River Basin started a pilot project, by sending out questionnaires to the households in this region. The objective was to facilitate the public participation process. The assumption was that if every household receives a questionnaire in their mailbox, more people would participate. The people were asked about their perception of major water related issues. According to the public participation guidance document of the french Ministry for the Environment, the response rate was so high (no numbers were given), that due to its success, the Ministry decided to expand this project to the whole country for the consultation period in 2008.

In the actual consultation period taking place in 2008 concerning the 2009 RBMP, 28 000 households received a questionnaire at the beginning of the six months consultation period. It was decided that the questionnaire should include simplified informative material about the river basins in their region, in order to ensure that these can be understood by the public and does not require the respondent to read the full draft RBMP, in order to know what it is about (Ministère de l'Ecologie, 2008).

The second consultation cycle concerning the 2015-2021 RBMP took place in two stages. In the first stage the administrative bodies consulted the public in 2012/13 and asked them about the challenges for their River Basin. The second stage took place in 2015. There the focus was set on the orientation, objectives and measures proposed to respond to the aforementioned challenges (Agence de l'Eau Rhône-Mediterranean, 2016). Just like in Austria, public stakeholders had the possibility to submit written comments or answer sent out questionnaires from 19 December 2014 to 18 June 2015. 30 000 (including the overseas and

Corsica River Basins) contributions (including questionnaires), 19 124 of which concerned the river basins in question, have expressed the interests of the French, and is higher than previous consultations. It showed that the challenges perceived by the administrative authorities are coherent with those perceived by the users (Billat, 2015). In comparison, around 25 000 (including the overseas and Corsica River Basins) comments have been submitted in the consultations in 2012-2013, which have been organized as the first stage of public consultations, also for the 2016 to 2021 RBMP period (les Agences de l'Eau, 2013).

The evaluation of the submitted statements has also been examined in terms of gender, age group and profession. It shows that 55% of the participants were male, and 45% women. When regarding the age group it can be observed that the majority of participants are aged between 50-64 years, followed by the age group 35-49, 9% of all participants were younger than 25 year olds. The main concerns were the impact of climate change on water, quality of drinking water, wastewater treatment and the reinforcement of water laws. However, the limitations of this evaluation have to be considered as well, since public participation usually takes place on the river basin level and the administration of the river basins in France is decentralized, differences in the evaluation process might influence the national evaluation of the public consultation process (Billat, 2015).

Consultation results in the different RBDs

Due to France's decentralized system for water management, the consultation process is also carried out that way. Each River Basin District organized public participation in their region. On the one hand the general public is consulted – they receive a questionnaire, where they are asked about their opinion about the RBMP and they have the opportunity to make written comments. On the other hand, the River Basin Commissions are asked about their opinion. After both of them have been consulted, the RBM will be revised and published as soon as it has been updated. Most River Basin Districts published a document summarizing the outcome of the public participation process. The published results differ in form and information given, from River Basin to River Basin.

According to the **Seine Normandy River Basin** documents, the analysis of concerns showed that they were predominantly about water pollution and the consumption and the use of water. The respondents suggested more education, awareness and the illustration of good practices, in order to empower private and professional users to be more careful and responsible in their

use of water. The concerns however, were not only voiced about water issues specifically, but also on climate change and environmental protection in general. In 2008, the main concerns were also about water pollution and the waste of water, which means not much has changed in the perception and the opinion of the public.

In terms of modification of the draft RBMP, the Commissions understandably contributed with more proposals to revise the plans, than the general public. They are more organized and deal with water management on a regular basis, thus giving them the necessary technical knowledge to make more substantial contributions. Concerning the general public, around two thirds made change proposals – a significant proportion however indicated in its comments, that the subject is very specific and it is therefore difficult to make suggestions. The main modifications however, cover both the interests of the public and the water basin commissions and concern more preventive measures, more concrete action methods to fight against pollution and to strengthen the PoM. In some cases methods and formulation have been revised after the consultation (Eau Seine Normandie, 2015).

In the **Rhone Mediterranean RBD**, concerns were predominantly voiced about the level of nitrates and pesticides, as well as industrial and urban pollutants in the aquatic bodies. 97% stated that is important to act, 75% thought there was an urgency to act quickly. The urbanization of the Mediterranean coast concerned the majority of respondents. Slowing down the urbanization growth in flood zones is a further concern of the public. The responses have shown that there is a lack of knowledge about the loss of wetlands and almost half of the respondents felt badly informed about flood risks to which they might be subjected. However, the majority felt well informed about the pollution of water. Like in the Seine Normandy River Basin, the expressed opinions illustrated that the public want to be more informed and education, awareness and information on good practices should be enhanced. Very few opinions were expressed on more efficient management of financial resources and floods. No information about the consultation process with the River Basin Commissions was given. Neither was information about modification of the RBMP included (Eau France, 2015).

In the **Artois Picardie RBD**, concerns were mainly voiced about reducing pollutants, the preservation of wetlands and to restore aquatic environments. There is widespread agreement both, protecting water catchments and encourage saving drinking water. There was also agreement about the necessity of preventing mitigating the negative effects of flood. Similarly

as in the other RBD, the public expressed the wish for enhanced information about water related issues and to further improving environmental education and the effects of climate change on water management. For better understanding almost the majority responded, that they need more information about the actions taken to improve the status of the water bodies in the Artois Picardie River Basin. Few differences were noted between the River Basin Commissions and the general public. No exact information about the views expressed by the Commissions, nor information about the modifications of the RBMP were found (Artois Picardie - eaufrance, 2015).

In the **Loire- Bretagne RBD** the majority of respondents believe that the actions proposed by the RBMP are fairly well adapted to the challenges of the basin. They are confident that these actions are suitable for ensuring water quality and preserving and restoring aquatic bodies. Opinions were less favourable when it comes to the water collection systems in the RBD. Information was also provided on how the respondents have been informed of the consultation process. Only 30% were informed by the Internet, 27% by associations and 19% by debates and informative meetings in their local area. Less than half of the respondents made proposition to modify the RBMP, but when they did they were mainly about taking actions to reduce pollution due to agriculture, strengthen water management regulation and increase sanctions, take action against pollution from cities and industries, more education and awareness raising and to apply the polluter pays principle. Following the consultation, modifications have been made. They mainly concern the formulation of the objective to reduce nitrates, the reduction of macro-waste in the sea and on the coast, reduction of pollution by wastewater discharges and the supply of drinking water. Here again information about the consultation process in the River Basin Commission has not been published (Eau Loire Bretagne, 2015).

In the **Adour Garonne River Basin District**, the public and the River Basin Commissions shared the ambition of the RBMP and agree on preferring preventive policies rather than curative measures. The Commissions were in favour of strengthening the polluter pays principle, but widely agreed with the RBMP and the PoM. They particularly underline the simplification and the better readability of the RBMP. However, there was general agreement about the priorities of the RBMP and considered it important to pursue all of them at the same time. Similarly to the other RBMD water pollution, due to nitrates and pesticides was the

central concern. In addition to that, the public voiced concerns about the preservation of aquatic environments and the organization of water management.

Following the Consultation process the main modifications were made concerning the accuracy of the content of certain measures and methods, the integration of measures to reverse the pollution of nitrate in groundwater, an update of regulatory references and highlighting protected areas and updated the register for those areas. The level of ambition for the objective of the ecological status of surface water bodies has been increased and the preventive approach has been highlighted in the modified RBMP. Climate change has also gained importance in response to the views expressed by the public as well as by the River Basin Commissions (Comité de bassin Adour Garonne, 2015).

No documents could be accessed from the Rhin Meuse River Basin District.

In addition to the obligatory consultations, France also carries out representative opinion polls to visualize the perception of its population, when it comes to water related topics. These surveys include all river basins in continental France, including the one in Corsica, which is not relevant for the present research. 3527 persons over 18 are questioned about their opinion via phone call. So far, such polls have been processed in 2011, 2013 and 2015. In 2015, particularly in the context of the COP 21 Conference (Conference of the Parties on Climate Change) that took place in Paris in December 2015, the focus was on climate change and its relation to water. With the evaluation of the perception of the public over the past 4 years, a valuable evolution can be analysed by the Water Basin Agencies and the Ministry for Environment, to take into consideration over the next years. (Harris Interactive, 2015).

The findings of these opinion polls show, that the number one concern is the quality of drinking and tap water. The impacts of climate change on water related issues has also gained importance in the eyes of the french population, according to this survey. Since COP 21 took place in Paris and with its large campaigns and a lot of media coverage, awareness on climate change related impacts probably increased. For better water management, the French consider education and raising awareness as the best and most important action to take. In 2011, the majority stated to have a limited knowledge about the complexity of the issue at stake. This is why they prioritize education and sensibilization of the general public, before the financial reinforcement and the application of existing legislation. A better understanding of challenges

and solutions, thus, plays a pivotal role for the enforcement of water policy. While in 2011, 41% were of this opinion, in 2015 only 38% shared this view. This might be traced back to the comprehensive public participation strategy (Harris Interactive, 2015).

When asked about, what their contribution to better water quality might be, the majority found that being more vigilant with their sewage disposal and their purchase behaviour (buying more environmental friendly products, reducing water consumption etc.). When comparing the data, it can be observed that awareness of what individuals can do to contribute to a higher quality outcome, increased. More than half of the interviewed persons even specified the importance of adopting a water reducing lifestyle (IFOP, 2013). Finally 90% of the asked persons think it is important to be informed about water pollution in their region and actions to reduce this pollution (Harris Interactive, 2015). The exact results of the opinion survey can be found on the following website: <http://www.lesagencesdeleau.fr/les-documents-de-reference/lopinion-des-francais/>.

Active Participation

While the french Ministry for the Environment directly addresses the active involvement of its population, as a means to expand the scope of written consultations, as suggested by the WFD, it does not mention how it wants to realize it (Ministère de l'Ecologie, 2008). According to previous studies stakeholders are generally satisfied with the participatory process, however they complain about being approached too late and not having a great influence on the decision making process (Jager et al., 2016). Public debates about projects and monthly consultations are published on a general public participation website (Ministère de l'environnement, 2016). As discussed above the consultation of the River Basin Commissions, which consists of different state and non-state actors enriches the public participation process immensely. They give water agencies an orientation for actions and support the drafting of the RBMPs. Furthermore, stakeholders are included in the organization of the River Basin Committees overseeing the public participation process (Ministère de l'Ecologie, 2008).

Access to Justice

In regards of public participation no cases have been found, where access to justice was sought.

5.2. Comparative Assessment

Now that the communication channels and activities of both countries in question have been presented, this section evaluates the results and answers the proposed research questions in the introductory section of the Thesis.

When looking at the communication strategies quite a few differences can be observed. By looking at the four levels in question – Information Supply & Outreach, Consultation, Active Involvement and Access to Justice – and comparing it via accessibility, comprehensibility and reachability, the first research question can be answered. *How did Austria and France realize the Public Participation Provisions established by the WFD, in compliance with the Aarhus Convention? What different communication strategies have been used, in order to fulfil the requirements of the WFD and the Aarhus Convention?*

First and foremost looking at **information supply** and outreach activities, both Austria and France have captured the current Zeitgeist by using a lot of Social Media channels to reach the general public, websites with interactive maps, background information, educational material etc. One difference is the way public participation has been advertised on the different websites. The french River Basin websites used a banner, that one has to close actively in order to proceed, while on the Austrian Website one needed several clicks to get to the public participation page. France has developed a comprehensive communication strategy, when looking at the slogan “L’eau, c’est la vie! Donnez-nous votre avis!” and uses it throughout the whole campaign consistently over all the years. Thus it created a distinguishing mark. Austria has not used a similar method to attract attention. Using the websites to answer the proposed questionnaires or to get relevant information, one would have to know these websites even exist. In addition to the online communication channels, both countries provide stakeholder discussions, exhibitions and events to get the public informed. France further uses a wide range of media coverage, when sending out questionnaires to every household. Background information and simplified summaries of the RBMPs accompany these questionnaires.

In respect of *accessibility* it is not merely relevant to look at, whether the information generally is accessible. *Accessibility and reachability* are closely interlinked. Information might be accessible, but it can not be used, if the people who are targeted have no knowledge where these information can be found or in some cases, where those who are targeted do not

even know, that they have the right to this information. As described in Section three of the Thesis, RBMPs are a significant improvement for public participation, as insight in the documents is ensured. However, the issue of *comprehensibility* still remains. When targeting the general public to participate or to communicate their ideas or at the very least to inform them properly, the river basin authorities role is to make sure, that a simplified presentation of those plans is circulated. Both countries take this argument into account and provide simplified information. In Austria, *comprehensibility* has been improved after the Statements for the RBMP in 2009. A statement was made, that the Austrian authorities merely target more professional stakeholders, as the language used on the WISA website is considered rather technical, the Ministry for Environment introduced the Wasseraktiv website, to target a younger and non-expert audience (Lebensministerium, 2014). The essential difference is that in Austria, one has to know that such plans even exist and that they have a right to participate, whereas in France, every household receives a questionnaire, including an attachment of relevant background information, in a simplified manner. This does not necessarily mean, that everyone will participate, but it guarantees a significantly wider *reachability* and ensures, that the public has been informed about its rights and possibilities under the WFD.

Secondly, the **consultation** process has been explored. Here again, a few differences can be observed, in particular as it also connects to the first point – information and outreach activities. While the questions asked by the Austrian administrative bodies exclusively concern the RBMP and suggestions to improve those plans, the French are questioned in several different areas ranging from RBMP and suggestions to improve those plans, to their engagement and commitment to take action for cleaner waters. In Austria the public had the possibility to answer those questions, when visiting the WISA or Wasseraktiv website, where those questionnaires have been published. This requires an intent to look for those questionnaires, which as previously mentioned requires the knowledge that public participation in this format even exists. This is also where the concerns from NGO's and individuals were right in pointing out that access to Internet and to information is required in order to participate (Lebensministerium, 2014). This does not necessarily mean, that people are hindered to participate because of the technological aspect of access, but in my interpretation especially concerns the knowledge about possibilities to participate on the Internet. In comparison, in France the opinion surveys were conducted via telephone and the consultation questionnaires have been sent out. Accompanying documents gave further information about the possibilities to participate in the consultation process by submitting written statements.

Each household received the questionnaire at the beginning of the six months consultation period. Moreover, consultations were widely advertised in the media two months prior to the consultation period (Ministère de l'Ecologie, 2008). This would also explain the significantly higher level of participation in France. There is however another difference how the public's participation is displayed on the websites of the river basin authorities. Austria clearly displays the submitted Statements on its Website (at least from the 2015 Consultations), however hasn't published a document justifying the inclusion or the non inclusion of propositions yet. For France it is the other way around. Justification documents can be found, when thoroughly searched for, but does not display the separate submitted statements (neither for 2013, nor for 2015). In terms of *accessibility*, *comprehensibility* and *reachability*, the same as above can be applied.

Thirdly, in terms of **active participation**, both countries organize events, discussions and round tables for the public, all of which are advertised on the websites of the responsible authorities. They put into action a variety of interactive measures in each river basin district. Interestingly, the french water agencies often list the change in behaviour and the mobilization of its population a primary outcome of public participation. Here, the administrative bodies convey a message that goes beyond an obligatory consultation, but motivates the public to take action themselves (Agence de l'eau Loire Bretagne, 2015). This can further be derived from the conducted opinion polls and the way the river basin agencies target the public. After mentioning the evolution of behaviour and the mobilization of actors, the sensitization and education of the public are mentioned. For efficiency reasons, awareness raising measures should be carried out on a local level and involve the public in concrete actions. The public should get an idea about the main challenges for their aquatic bodies, such as the consequences of climate change, dangerous water polluting substances, the rehabilitation of the hydro- morphological situation and droughts. Education measures should also be implemented in schools – these can be enforced by teachers in collaboration or with the support of local staff working in the field. All RBMP have already been published on the website of the accountable River Basin Agency (Agence de l'Eau Rhône-Mediterranean, 2016). In comparison Austria hasn't published a finalized version of the 2009 RBMP yet.

As pointed out in the previous chapter, active involvement of the public is quite a new process and is unfamiliar for a number of responsible river basin authorities (WWF&EEP, 2004). A comparison of the two countries reveal that France is making a greater effort at actively

involving the public by addressing this possibility in its statements about public participation. According to previous studies tends to involve environmental NGO's in discussions on the RBMP's. Even though this seems to happen rather late in the decision-making process, the approach to consult them is there (Scheuer & Rouillard, 2008). Furthermore, mobilizing and questioning the public on what their contributions to better water management might be, can be considered active involvement and show the general public, they do not only have the right to information and participation, but there is also an obligation that comes with this responsibility. The economic use of water, more environmental friendly products and technical appliances have the ability to support the fight against water pollution. A reason for the enhanced awareness for active participation might be that France built its participation processes on already existing structures (Jager et al., 2016). Thus, France has already been familiar with active participation processes. As for active involvement, another point must be added. For environmental NGO's or associations and the interested public, there is a much bigger barrier to actively participate, as the following of law making and lobbying is a costly process and requires a lot of financial time resources. This is why, the french model of including representatives from different Stakeholders in the River Basin Commissions, which are regularly consulted on action plans, RBMP's etc. in the interest of the public. The participation process and the influence of the public can thus be controlled to a certain extent (Ministère de l'Ecologie, 2008). In Austria as in many other Member States, active involvement of the public represents a fairly new concept. There were no existing structures to build on in this regard, which might also explain the difficulties in the first management cycles. Public participation in general seems to have a fundamental significance in France, as consultations are organized for several different environmental issues, such as sustainable development, water and biodiversity related matters, energy & climate, as well as transport. Statements regarding the various projects in those fields are published on the same central public participation website. The website further leads to another site displaying all public debates about projects and monthly consultations, also showing how many debates are currently going on, how many have already been terminated and how many have already been published (Ministère de l'environnement, 2016).

Finally, in compliance with the Aarhus Convention, **Access to Justice** is another relevant criteria for public participation implementation. In this regard, no major cases have been found for the case of France. Infringement procedures concerning France are mostly about poor wastewater treatment or nitrate pollution, but do not concern the implementation of

public participation provisions. As for Austria, long extensive legal battles have been fought by environmental NGO's supported by the public against the construction of new hydro power plants. Even though, some court rulings have been decided in favour of these organizations, reality and the decision-making has not really changed.

Taking the previous points into account, the second research question: *To what extent has the public been involved in the decision-making process, how did it influence RBMP or changes in communication strategies?* The continuous consultation processes and the regular opinion polls give a good overview about how well the public is informed, as well as on their perception of the RBMP. When looking at the results of the various RBD, it can be observed that the River Basin Agencies get a good insight on what the public can understand, and where too technical language has been used and thus caused a barrier for making RBMP modification proposals. By having this information, they can respond to these gaps of information more easily in the future. In the Adour Garonne RBD for example, the River Basin Commissions commended the efforts taken to simplify the RBMP to guarantee public participation. Furthermore the consultations with organized stakeholders via the River Basin Commissions and the consultation with the general public enriches the consultative process.

Most of the RBD clearly indicated the changes in the RBMP due to the consultation process, which makes the whole process more transparent. It is no surprise that most modifications have been made as a response to the views expressed by the River Basin Commissions, as they deal with those issues more frequently and have gained more technical knowledge on water related issues. Often the views of the Commissions and the general public overlap anyway. It is understandable that the general public submits less concrete proposals to revise something in the RBMP, as their technical knowledge is limited in some regards. However, they get a good insight in the priorities of the RBMP and can answer questionnaires on their point of view in this regard. Naturally these questionnaires don't give much room for free commenting. They are mostly closed questions. However, there is the possibility to submit statements and written comments in addition to the questionnaire, so the public can choose the way they want to participate in the consultations.

The regular opinion polls further give illustrate the development of the public's opinion, which can be useful for developing successful communication campaigns and reaching the public for the consultation process. Altogether France thus has a wider pool of information

that it can use to better tailor its action plans, RBMP et cetera.

In Austria a lot has happened in the last couple of years, in terms of legal battles and milestone rulings, such as the ruling of the ECJ in 2015. Even though the public has been quite active in this regard, this has not been reflected in Austria's decisions yet. The ongoing expansion of hydropower is still hotly debated. When comparing the consultation processes of 2008 and 2015, the issue is still as relevant today, than it was then. In 2008 some modifications were made, but they mainly concerned ambiguous points or an updating of data. As for 2015, the response document, as well as the final RBMP has not been published yet, not much can be said about the influence on the RBMP. It remains to be seen, how the influence of public participation will develop in the future.

As for the third research question: *Has a system of checks and balances, where accountability and transparency are ensured, been enforced, by involving public participation provisions in the WFD?* The public proved it can play a significant role in Water Management. The WFD provides the public more detailed information about water related issues than ever before. In particular in the case of Austria, environmental NGO's have shown that they are not willing to give up, but challenge the decisions of responsible authorities. This further increases media attention and in the end highly increases the pressure on public authorities. This might not be the ideal way to shape decisions, but with time it will require administrative authorities to work with environmental NGO's and the public to gain acceptance and legitimacy for their actions. So in terms of accountability, the WFD, as well as the Aarhus Convention facilitated the process of holding the public authorities accountable, by providing the necessary legal framework. However, it still remains to be seen, what the consequences are, when a State does not comply with these provisions.

Furthermore, it can be said that stakeholders had an interest to participate and to be informed. The fact, that the administrative authorities have to publish documents, gives better possibilities to track the development of the water status. Here again, the question is what happens, if the State doesn't publish the necessary documents, such as the response document to the submitted statements or the finalized version of the RBMP 2015. Nevertheless, there are NGO's and associations continuously following these processes and pointing out, when the Ministry did non publish necessary documents, or how the improvement of the water

status is developing. In the final analysis it can therefore be said that it did enhance accountability and transparency.

In France, all necessary documents have been published in time and thus promoted transparency. With the structural set up of the River Basin Commissions, a system of checks and balances has been established. This is an important monitoring tool and ensures that no decisions can be taken over their heads. This set up further facilitates the participation process, as non-state actors and state actors are already working together to balance the divergent interests. However, it should be noted, that France already had these structures prior to the WFD, but gave non-state actors more seats in the River Basin Commissions after the transposition of the WFD into french law. Thus France already had experience in public participation process, which is why it is not surprising that Jager et al. considered France as a pioneer in this regard (Jager et al., 2016). In Austria such structures did not exist prior to the WFD, but the longer this Directive exists, the more experience can be used to develop best practice examples and to find the right balance between ecological, environmental and economic interests.

6. Conclusion and Further Considerations

Public Participation has only recently gained increased importance in environmental decision-making processes. Even though the Rio Declaration introduced this concept in 1992, it needed quite some time until experience could be gained in order to evaluate and improve methods to involve the public in decision-making processes. Different countries have different ideas on how they want to involve the public and on what the public can actually contribute in order to implement environmental laws. These is only natural, since there is no blueprint in how public participation shall be carried out. Moreover, different countries have different starting positions in regards to both, water quality in general and in respect of already existing participation structures. Given these points, it is not surprising that this greatly influences strategies to involve stakeholders in water management. As emphasized in the results section, France has a tradition in public participation, which also means that they are able to rely on years of experience in this regard (EEP, 2005). However, this research demonstrates, that it seems to be a challenge for both countries, to involve the public at an early stage, which would enhance the possibility to influence the outcome of key documents.

In the final analysis it can be said that, the public does not accept every decision anymore, they demand to be heard and they fight for their right to be included in environmental decision-making processes. This is why the movement has been initiated and finally resulted in the Rio Declaration and later the Aarhus Convention (Handl, 2000). As a matter of fact it was a long way to developing an international and national framework to ensure that the public is informed about environmental matters and ideally has a say in it. This movement is not likely to change over the next years, it is more likely that it will increase in the long run and thus produce greater pressure for justification for administrative authorities. A form of accountability has already been created through the public participation provisions in the WFD, as well as the regulations of the Aarhus Convention. The public has proved its role by starting legal battles on the one hand or by contributing to better water management through more careful use of water, on the other. Without this legal foundation it would not have been easy to demand that some aquatic bodies need to be protected, that the PoM is not ambitious enough, to question the methods public authorities used to determine the status of some aquatic bodies or by simply admitting, that more simplified information is necessary to get more involved. Altogether, access to judicial remedy in case of non-compliance, allowed NGO's to set a legal precedent. Even if this has not changed much so far, it might still be influential in the future. The consultation processes allowed the public and stakeholders in general to voice their concerns and to have access to how the state is managing their waters.

Furthermore, it seems obvious that it is easier to involve organized stakeholders, rather than involving a non organized general public in the decision-making process. Truth is, not everyone necessarily wants to participate, but everyone should know about their access rights as well as about their responsibility to keep the waters clean. Water is the most precious resource in the world, and it is often circulated how rare it becomes. This concerns us all - education and raising awareness are crucial in this regard, in order to make better decisions in the future. Especially, the younger generation needs to be educated about the pressures and challenges, as they will be the ones dealing with it in the future, which in essence makes this is a question of sustainability.

It appears that public participation is still perceived as a threat rather than an opportunity of working together to find better solutions that suit all of the stakeholders. In the end most interests have their legitimation, but all sides need to be heard and those interests need to be balanced in order to find a good transparent solution. Using this possibility in order to shape

the opinion and the perception of the public, rather than promoting discontentment by taking decisions over their heads, especially when it comes to decisions that affect them too, might be a significant asset in water management. Doing that can legitimate decisions and actions taken to achieve a good status for all aquatic bodies and having the public on their side is more helpful to achieve the objectives of the WFD, than constantly having to justify decisions, being taken to court or other barriers that result from public discontentment.

Frankly, altogether there is potential for improvement, when looking at the results of this research:

- In the interest of transparency, it might help to provide a defined constitutional framework, pointing out what possibilities of participation are implemented and to what extent the outcome of the participation process can be considered in key decisions or documents.
- A transparent public participation implementation strategy, including a stakeholder analysis, might be helpful to decide who should definitely be involved in the decision-making process, because either they hold local knowledge, such as associations or local NGO's, who could help find better and more ambitious measures to mitigate and reduce water pollution. Furthermore, as the results in the implementation of Austria have shown, a closer cooperation with representatives of the agricultural sector was demanded, because they could potentially contribute by voluntary measures to reduce the impact from agriculture. Close cooperation with such stakeholder can improve the implementation of an ambitious and stringent PoM to achieve the goals set by the WFD. While some steps have already been taken, by providing informational meetings and round tables, the public authorities could in conclusion reach out to stakeholders more actively and involve them at an early stage of the drafting process.
- For monitoring and evaluation purposes, it could improve the participation process, if data regarding public participation is analysed and discussed and made available to the public to see what role they play in water management.

For future research it remains critical whether change in this regard is achieved or not. What happens if the public has no influence on real decision-making, or if a lack of communication continues to be business as usual? As other studies equally suggest, a damage of public trust in authorities can undermine the legitimacy of their decisions. While doing this research, I had the impression that national authorities are defensive and perceive public participation as a

threat, rather than a collaboration to reach the goal of a good status for all waters. Scheuer, from the European Environmental Bureau compellingly argues for close cooperation with NGO's and for stepping up public involvement in order to tackle the challenges due to hydro-morphological alterations, as well as climate change (Scheuer & Rouillard, 2008).

Thus this research shall be concluded by highly important words of the CIS guidance document and reflects one of the most important aspects of public participation in environmental decision-making:

„Public participation is not an end in itself, but a tool to achieve the environmental objectives of the Water Framework Directive” (CIS, 2003).

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Appendices

Appendix I

09/10/2016

Gmail - BürgerInnenbeteiligung Österreich



Miriam Baghdady <baghdady.miriam@gmail.com>

BürgerInnenbeteiligung Österreich

7 messages

Miriam Baghdady <baghdady.miriam@gmail.com>
To: wasserrahmenrichtlinie@bmlfuw.gv.at

Sat, May 9, 2015 at 3:10 PM

Sehr geehrte Damen und Herren,

als Studentin der Diplomatischen Akademie (Studiengang: Environmental Technology and International Affairs) schreibe ich derzeit meine Masterarbeit über die Einbindung der Öffentlichkeit bei der Wasserrahmenrichtlinie und vergleiche dabei im speziellen Österreich und Frankreich.

Tatsächlich gehört Frankreich zu den erfolgreichsten Ländern bei der Umsetzung von Artikel 14 der Wasserrahmenrichtlinie. Zu Österreich habe ich bis jetzt noch keine umfassenden Informationen über die Umsetzung gefunden, daher möchte ich mich bei Ihnen informieren ob Sie Dokumente dazuhaben, die Sie mir für meine Arbeit zuschicken könnten. Im speziellen würde mich interessieren, wieviele BürgerInnen oder Stakeholder ihre Meinungen abgegeben haben und inwiefern dies weitere Pläne beeinflusst hat.

Über eine Antwort freue ich mich sehr. Bei weiteren Fragen zu meiner Arbeit, stehe ich immer gerne zur Verfügung.

Mit freundlichen Grüßen,

—

Miriam Baghdady, BSc (WU)

MARENT, Harald <Harald.MARENT@bmlfuw.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Tue, May 19, 2015 at 10:20 AM

Sehr geehrte Fr. Baghdady,

Vielen Dank für Ihr Interesse an der Umsetzung der EU Wasserrahmenrichtlinie und im Speziellen an der Beteiligung der Öffentlichkeit in Österreich. Ich werde Ihre Anfrage gerne an meine zuständigen Kolleginnen im BMLFUW weiterleiten, welche Sie dann hoffentlich mit den nötigen Informationen bedienen werden.

Mit freundlichen Grüßen

Harald Marent

Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Samstag, 09. Mai 2015 15:11

An: Wasserrahmenrichtlinie

Betreff: BürgerInnenbeteiligung Österreich

<https://mail.google.com/mail/u/0/?ui=2&ikse=4106eed36&view=pt&q=Harald.MARENT%40bmlfuw.gv.at&qps=true&search=query&th=14d38cc502b1e010&siml=14...> 1/4

09/10/2016

Gmail - BürgerInnenbeteiligung Österreich

[Quoted text hidden]

MARENT, Harald <Harald.MARENT@bmlfuw.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Wed, Jun 24, 2015 at 2:11 PM

Sehr geehrte Fr. Baghdady,

Nachdem Sie vor einiger Zeit die u.a. Anfrage an unser Haus gestellt haben, wollte ich bei Ihnen nachfragen, ob Sie schon die gewünschten Informationen erhalten haben.

Mit den Ersuchen um Rückmeldung hierzu und

Mit freundlichen Grüßen

Harald Marent

Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Samstag, 09. Mai 2015 15:11

An: Wasserrahmenrichtlinie

Betreff: BürgerInnenbeteiligung Österreich

Sehr geehrte Damen und Herren,

[Quoted text hidden]

[Quoted text hidden]

Miriam Baghdady <baghdady.miriam@gmail.com>
To: "MARENT, Harald" <Harald.MARENT@bmlfuw.gv.at>

Wed, Jun 24, 2015 at 5:30 PM

Sehr geehrter Herr Marent,

Vielen Dank für Ihre Email. Leider habe ich die gewünschten Informationen nicht erhalten. Ich würde mich freuen, wenn Sie dennoch die Möglichkeit finden, mir diese zuzusenden.

Mit freundlichen Grüßen,

Miriam Baghdady

[Quoted text hidden]

MARENT, Harald <Harald.MARENT@bmlfuw.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Thu, Jun 25, 2015 at 6:07 AM

Sehr geehrte Fr. Baghdady,

Ich darf mich bei Ihnen für die Verzögerung entschuldigen. Sie werden die Informationen bis Mitte der nächsten Woche von mir bekommen.

<https://mail.google.com/mail/u/0/?ui=2&ik=e4106eed36&view=pt&q=Harald.MARENT%40bmlfuw.gv.at&qs=true&search=query&th=14d38cc502b1e010&siml=14...> 2/4

Mit freundlichen Grüßen

Harald Marent

Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Mittwoch, 24. Juni 2015 17:31

An: MARENT, Harald

Betreff: Re: BürgerInnenbeteiligung Österreich

[Quoted text hidden]

MARENT, Harald <Harald.MARENT@bmlfuw.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Mon, Jun 29, 2015 at 9:09 AM

Sehr geehrte Fr. Baghdady,

Anbei darf ich Ihnen eine Zusammenfassung der Aktivitäten des BMLFUW zukommen lassen, in der die Beteiligung der Öffentlichkeit im Rahmen der Umsetzung der EU WRRL beschrieben wird. Wie Sie der Zusammenfassung entnehmen können, wurde in Österreich sowohl die Verhandlungsphase zur Richtlinie als auch die gesamte Umsetzungsphase der EU Wasserrahmenrichtlinie 2000/60/EG mit Maßnahmen zur Information der interessierten Öffentlichkeit bzw. von Interessensvertretungen und Stakeholdern begleitet.

Im Dokument wird auch erwähnt, dass einzelne Inhalte (z.B. 379 Stellungnahmen) auf der Internetseite wisa.lebensministerium.at veröffentlicht wurden. Diese Inhalte sind nicht mehr verfügbar, da im Jahr 2014 die Webseite auf eine neue Technologie umgestellt wurde und die einzelnen Stellungnahmen nicht überführt wurden. Das zugehörige „Antwortdokument“ finden Sie unter http://wisa.bmlfuw.gv.at/fachinformation/ngp/ngp-2009/oeffentlichkeitsbeteiligung/ngp_2009.html. Sie bekommen zumindest einen Eindruck, welche Themen in den Stellungnahmen angesprochen wurden.

Des Weiteren darf ich Sie informieren, dass derzeit auch die Beteiligung der Öffentlichkeit für den neuen NGP – Entwurf 2015 (Nationalen Gewässerbewirtschaftungsplan) läuft. Bis dato haben wir die eingelangten Stellungnahmen aber noch nicht veröffentlicht, sollte jedoch in den nächsten zwei Wochen passieren (<http://wisa.bmlfuw.gv.at/fachinformation/ngp/ngp-2015/oeffentlichkeitsbeteiligung.html>).

Ich hoffe, dass Ihnen diese Informationen ein wenig weiter helfen. Sollten Sie zusätzliche Informationen benötigen, ersuche ich Sie um nochmaligen Kontaktaufnahme (direkt an mich).

Anbei noch zwei Adressen:

www.wasseraktiv.at

www.flussdialog.at

Mit freundlichen Grüßen

09/10/2016

Gmail - BürgerInnenbeteiligung Österreich

Harald Marent

Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Mittwoch, 24. Juni 2015 17:31

An: MARENT, Harald

Betreff: Re: BürgerInnenbeteiligung Österreich

Sehr geehrter Herr Marent,

[Quoted text hidden]

[Quoted text hidden]

 **Art-14-ÖB.pdf**
107K

Miriam Baghdady <baghdady.miriam@gmail.com>
To: "MARENT, Harald" <Harald.MARENT@bmlfuw.gv.at>

Thu, Jul 2, 2015 at 9:39 AM

Sehr geehrter Herr Marent,

Vielen herzlichen Dank für die Informationen.
Sie haben mir damit sehr weitergeholfen.

Mit freundlichen Grüßen
Miriam Baghdady
[Quoted text hidden]

<https://mail.google.com/mail/u/0/?ui=2&ik=e4106eed36&view=pt&q=Harald.MARENT%40bmlfuw.gv.at&qs=true&search=query&th=14d38cc502b1e010&siml=14...> 4/4

Appendix II

09/10/2016

Gmail - Berücksichtigung der Statements im NGP



Miriam Baghdady <baghdady.miriam@gmail.com>

Berücksichtigung der Statements im NGP

5 messages

Miriam Baghdady <baghdady.miriam@gmail.com>
To: harald.marent@lebensministerium.at

Fri, Apr 29, 2016 at 1:35 PM

Sehr geehrter Herr Marent,

auf der Homepage (<http://wisa.bmlfuw.gv.at/fachinformation/ngp/ngp-2015/oea.html>) wird ein Bericht angekündigt, indem die Berücksichtigung der Statements im Rahmen der Öffentlichkeitsbeteiligung, veröffentlicht wird. Nun ist die Phase der Öffentlichkeitsbeteiligung bereits seit mehreren Monat ausgelaufen. Daher möchte ich mich erkundigen ob bereits ein Bericht zur tatsächlichen Berücksichtigung der Statements vorliegt.

Da ich mich in meinem Studium und aus Interesse mit Öffentlichkeitsbeteiligung in umweltpolitischen Entscheidungen beschäftige, möchte ich mich erkundigen ob Sie mir einen derartigen Bericht zukommen lassen könnten. Des Weiteren würde mich interessieren, ob so ein Bericht auch online veröffentlicht wird?

Auf eine rasche Antwort würde ich mich freuen.

Mit freundlichen Grüßen
Miriam Baghdady
--

MARENT, Harald <Harald.MARENT@bmlfuw.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Fri, Apr 29, 2016 at 1:54 PM

Sehr geehrte Fr. Baghdady,

Ich werde mich bei meinen Kolleginnen und Kollegen erkundigen, bis wann mit dem Dokument zu rechnen ist und Ihnen „asap“ diese Information zukommen lassen.

Mit freundlichen Grüßen

Harald Marent

Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Freitag, 29. April 2016 13:35

An: MARENT, Harald

Betreff: Berücksichtigung der Statements im NGP

[Quoted text hidden]

FENZ, Robert <Robert.Fenz@bmlfuw.gv.at>
To: "baghdady.miriam@gmail.com" <baghdady.miriam@gmail.com>
Cc: "MARENT, Harald" <Harald.MARENT@bmlfuw.gv.at>

Tue, May 3, 2016 at 10:01 AM

<https://mail.google.com/mail/u/0/?ui=2&ik=e4106eed36&view=pt&q=Harald.MARENT%40bmlfuw.gv.at&qs=true&search=query&th=15461cd3bb4d1a45&siml=15...> 1/4

Sehr geehrte Frau Baghdady,

vielen Dank für Ihre Anfrage. Die Veröffentlichung der „Zusammenfassenden Erklärung“, in welcher die Ergebnisse der Öffentlichkeitsbeteiligung und darauf zurückgehende Änderungen des NGP 2015 dargestellt werden, wird erst nach der Veröffentlichung des NGP 2015 erfolgen, weil erst dann klar ist, wie die Stellungnahmen berücksichtigt wurden. Derzeit wird noch an der Finalisierung des NGP 2015 gearbeitet.

Die „Zusammenfassende Erklärung“ wird wie der finale NGP 2015 auch unter wisa.bmlfuw.gv.at und www.wasseraktiv.at abrufbar sein.

Mit freundlichen Grüßen

DI DR. ROBERT FENZ

Abteilungsleiter

BUNDESMINISTERIUM

FÜR LAND- UND
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bmlfuw.gv.at



**MINISTERIUM
FÜR EIN
LEBENSWERTES
ÖSTERREICH**



Von: MARENT, Harald

Gesendet: Montag, 02. Mai 2016 14:08

An: FENZ, Robert

Betreff: WG: Berücksichtigung der Statements im NGP

Von: Miriam Baghdady [<mailto:baghdady.miriam@gmail.com>]

Gesendet: Freitag, 29. April 2016 13:35

An: MARENT, Harald

Betreff: Berücksichtigung der Statements im NGP

09/10/2016

Gmail - Berücksichtigung der Statements im NGP

Sehr geehrter Herr Marent,

[Quoted text hidden]

Miriam Baghdady <baghdady.miriam@gmail.com>
To: "FENZ, Robert" <Robert.Fenz@bmlfuv.gv.at>

Tue, May 3, 2016 at 10:07 AM

Sehr geehrter Herr Fenz,

Vielen Dank für die Information.

Mich würde noch interessieren wann dieser finalisiert sein wird? Nachdem wir ja schon 2016 haben, gilt derzeit noch der alte NGP?

Liebe Grüße
Miriam Baghdady

[Quoted text hidden]

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FENZ, Robert <Robert.Fenz@bmlfuv.gv.at>
To: Miriam Baghdady <baghdady.miriam@gmail.com>

Fri, May 6, 2016 at 10:28 AM

Sehr geehrte Frau Baghdady,

Es sind nach wie vor die Maßnahmen des ersten NGP umzusetzen, soweit es noch nicht geschehen ist. Ich rechne damit dass der zweite NGP im Sommer diesen Jahres veröffentlicht wird.

Mit freundlichen Grüßen

Robert Fenz

DI DR. ROBERT FENZ

Abteilungsleiter

BUNDESMINISTERIUM

FÜR LAND- UND
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UMWELT UND WASSERWIRTSCHAFT

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**MINISTERIUM
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09/10/2016

Gmail - Berücksichtigung der Statements im NGP

ACHTUNG:
Unsere Durchwahl ändert sich
ab 26. Mai 2016

NEU: 71100 – **60** – bisherige 4-stellige Durchwahl



Von: Miriam Baghdady [mailto:baghdady.miriam@gmail.com]

Gesendet: Dienstag, 03. Mai 2016 10:08

An: FENZ, Robert

Betreff: Re: Berücksichtigung der Statements im NGP

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