

Interactive comment on “The “WFD-effect” on upstream-downstream relations in international river basins – insights from the Rhine and the Elbe basins” by S. Moellenkamp

Anonymous Referee #2

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I understand that this manuscript was submitted as part of a proposed special issue of the journal and I am not sure what the overall thrust of the papers in the overall package is. So let me describe, from my perspective, what the nature of the paper on the WFD is before I assess its merits and shortcomings.

The paper is essentially an essay that summarizes selected findings from previous research, mainly in political science and economics, and then argues that the WFD is likely to mitigate upstream-downstream problems in Europe. The positive effect of the WFD is attributed chiefly to the ecosystems approach, which helps in empowering downstream countries, and the supranational monitoring and enforcement role

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assigned to the EU Commission. At some points, the author offers bits of empirical evidence from interviews with experts on the Rhine and Oder.

My principal comment concerns the focus of the paper: If the paper seeks to offer a summary or review of the literature on upstream-downstream riparian problems and the WFD it should say so explicitly. In that case the review of the existing literature should be more comprehensive and more critical. If the paper seeks to systematically assess the WFD effect (this is what the title of the paper now states) the first part (1407-1416) could be cut back quite a bit (this section is a useful summary of what we already know, but does not offer new insights, neither does it discuss the gaps in and deficiencies of previous research). Instead, the second part would need to be expanded. At this stage the paper does not offer any systematic empirical evidence for the WFD-Effect. The author argues repeatedly that the WFD mitigates the upstream-downstream problem via the ecosystems approach and the supranational level (monitoring and enforcement by the Commission). This was the very intention of the policy-makers who set up the WFD. It is not a new argument by the author, and simply repeating policy-makers' intentions does not constitute an empirical proof that the WFD is having an effect. Whether the WFD is indeed effective requires a more focused empirical analysis. That is, I would be very curious to learn whether the WFD is having an effect in mitigating upstream-downstream problems above and beyond what would have happened in the absence of the WFD. Specifically, one would like to know whether the WFD motivated or even forced riparian countries in the Rhine and Elbe basins to adopt measures they were not planning before, and whether it has changed the rules of the game in implementing international commitments. The author could do this for one specific area, e.g. monitoring of water quality, fish ladders, river revitalization, or more broadly across a range of issues. The Gurtner-Zimmermann study offers a fairly good example of how the effectiveness of new water policies can be studied.

Some more specific points:

I find the discussion on compensation payments quite confusing. It spins off apart from

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the rest of the discussion. Most experts now agree that the compensation scheme for chloride pollution was a disaster - it cost a lot of money, absorbed far too much attention of policy-makers and caused a lot of mischief, and the environmental effect was minimal (the author appears to think that it worked well). No one wants to repeat this exercise. Beyond this I do not understand where the author's argument on compensation payments is headed. Whether the WFD makes such arrangements more or less likely, and whether they would be effective and would thus help in mitigating upstream-downstream problems is hypothetical and very ambiguous. I simply don't understand how this discussion contributes to assessing the WFD's effectiveness.

What the author defines as study approach in 1.4 is very vague. Compare this, for example, to studies such as Gurtner-Zimmermann and Dombrowsky, who use much more explicit empirical approaches.

The arguments on Switzerland look quite strange. The author states that the fact that Switzerland is not a member of the EU "does not disturb this constellation". Why, and what does this mean?

The focus on Germany makes very little sense if the question is about the effect of the WFD.

The repeated statements that the WFD increases solidarity, the sense of community etc. sounds a bit naïve in view of the fact that EU member countries fight very hard about all sorts of things even in areas that have been under EU control for a very long time.

The argument in 3.3.2 is strange. Some of the interviewed experts appear to claim that Brussels is perceived as the opponent by some policy-makers and/or riparian countries. But that, per se, is not a good indicator that the WFD is having an effect. It could simply tell us that member countries are facing additional bureaucratic costs.

To sum up: I suggest that the author decides first on where the paper should be headed

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- review essay on what we know, or empirical assessment of the WFD effect - and refocus the paper accordingly. As it stands now the paper is going to disappoint those who are expecting a systematic review of the available literature on upstream-downstream problems and the WFD, and those who are expecting a systematic empirical assessment of the WFD's effects.

Interactive comment on Hydrol. Earth Syst. Sci. Discuss., 4, 1407, 2007.

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