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Water scarcity and actors' involvement

The case of the European Union member
state Spain

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Water scarcity and actors' involvement: The case of the European Union member state Spain.

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Abstract

The Spanish National Hydrological Plan (SNHP) is a controversial law the Government of Spain approved in 2001 to enhance the distribution of water across the country. One of the main projects of the plan is the transport of water from non-rigid regions located at the Ebro delta to water-stressed areas at the east coast of Spain. Due to emerging problems for people affected by the SNHP several actors lobbied for a new plan. After a change in government the Modification of the Spanish National Hydrological Plan (MSNHP) was introduced in 2005 (Bukowski, 2007).

Although also the European Union (EU) is preoccupied about the issue, no common EU legislation concerning water scarcity was approved so far. Despite the fact that no EU policies exist, involvement of the EU in this area can still be found (European Commission, 2010a).

In the bachelor thesis the participation of different actors after the implementation of the SNHP from 2001 is analyzed. The aim is to indicate main actors that influenced the modification of the original plan. Among the actors the EU is brought into central focus.

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Abbreviations

CIA	Central Intelligence Agency
COAGRET	Coordination for Affected People through Water Basins and Deviations (<i>Coordinadora de Afectados por Grandes Embalses y Trasvases</i>)
COM	European Commission
DG	Directorate General
ECJ	European Court of Justice
EEB	European Environmental Bureau
EP	European Parliament
EU	European Union
EWA	European Water Association
FOEI	Friends of the Earth International
GDP	Gross Domestic Product
Greens/EFA	Greens/European Free Alliance
MSNHP	Modification of the Spanish National Hydrological Plan
NGOS	Non-governmental organizations
PDE	Platform in Defense of the Ebro (<i>Plataforma en Defensa del Ebro</i>)
PP	Spanish People's Party
PSOE	Spanish Socialist Worker's Party
SNHP	Spanish National Hydrological Plan
WFD	Water Framework Directive
WWF	World Wide Fund for Nature

1 Introduction

Nowadays water scarcity is a serious problem in several countries. It reflects a situation where water demand exceeds water supply (Lopez-Gunn & Llamas, 2008). The so-called water stress index gives a definition of water scarcity. '[Water scarcity]... is the ratio between the average amount of withdrawal and the amount of long term available freshwater'. According to this index a ratio of 40% describes serious water scarcity while a ratio of 10% can be considered as a sustainable situation (García Molina & Casañas, 2009).

In 2010 water scarcity is not a problem the EU is mostly concerned with. The international financial crisis still leaves its mark what is shown by the financial emergency of Greece. The basic concept of establishing a competitive single market in Europe is still the main aim the EU pursues. Thus, the EU institutions are rather engaged in stabilizing the Eurozone instead of working on issues like water scarcity. Environmental problems seem to be not as urgent as the financial crisis at the moment (BBC, 2010).

Arid territories on the southern hemisphere are probably more associated with water scarcity than Europe. The average European citizen might not consider it an urgent problem. The European Commission (COM) however, takes another position concerning the issue: "While Europe is by large considered as having adequate water resources, water scarcity and drought is an increasingly frequent and widespread phenomenon in the European Union. The long term imbalance resulting from water demand exceeding available water resources is no longer uncommon." (European Commission, 2010a). Further water contraction can be expected if temperatures remain rising. Today the COM defines water scarcity not as a problem of single regions but as a concern for all 500 million Europeans (European Commission, 2010a).

So far different EU member states are affected directly by the issue. Most of the Southern European countries experience water scarcity for years and consider it as a real threat. Spain for instance is affected roughly by it, especially due to irrigation and tourism. The country on the Iberian Peninsula has a water stress index of 30% which is why remedies and technologies are strongly necessary to combat the problem (Lopez-Gunn & Llamas, 2008).

Strikingly a major difference emerges when Spain is considered among the 27 EU countries. Compared to the other states water scarcity is already today an urgent problem in Spain. While many other EU member states consider it as an upcoming threat, Spain needs to combat the problem now. The country is a good example to discuss the issue of water scarcity and analyze water policies. Behind that, cooperation between the Spanish Ministry of Environment and the European Commission shows the involvement the EU takes within this process.

The issue of water scarcity is a central topic in many academic articles. Existent policies, forms of innovation and applied technologies are analysed and/or evaluated to make judgments about further development and the possibilities they provide to improve the situation in water-scarce areas (compare Kundzewicz, 2001; Quevauviller, 2005). Literature often discusses the current status concerning the problem in different countries, especially at the example of the Southern EU member states (compare Yang, Wang, & Zehnder, 2006; Lopez-Gunn & Llamas, 2008; García Molina & Casañas, 2009).

In this bachelor thesis I want to take a different approach. The Spanish National Hydrological Plan (SNHP) is a controversial law the Government of Spain approved in 2001 to enhance the distribution of water across the country. One of the main projects of the plan was the transport of water from non-rigid regions around the Ebro delta to water-stressed areas at the East coast of Spain. Due to emerging problems for people involved different actors lobbied for a new plan. After a change in government a modification of the Spanish National Hydrological Plan (MSNHP) was introduced in 2005 (Bukowski, 2007).

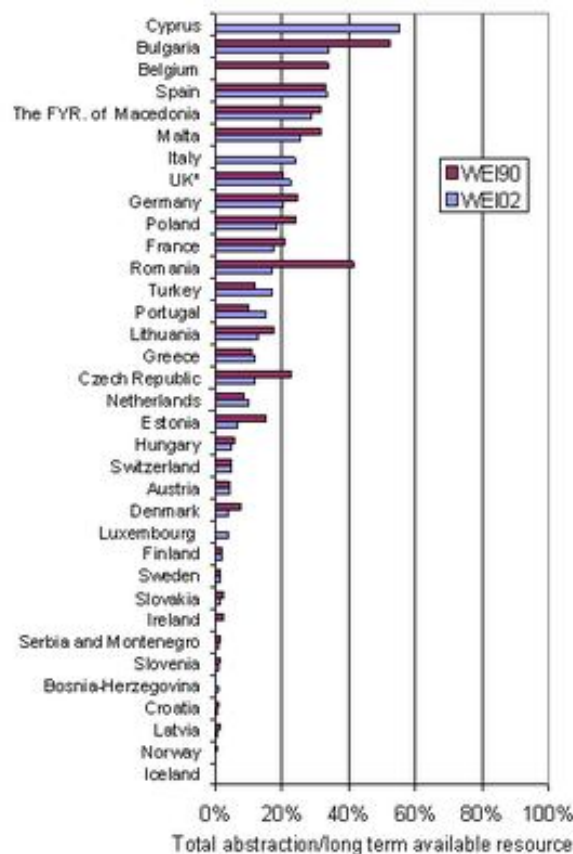
The research is conducted with the SNHP as starting point and the MSNHP as final point of the observation period. Different actors, partly lobbying for a modification of the SNHP and others in favor of the original plan, are analyzed in order to find out whether they had any influence on the outcome of the second policy, the MSNHP.

Considering the statement of the COM about water scarcity and droughts it is unlikely that the issue is completely excluded from influence of EU supervision. The system of the EU is constructed as an extremely outspread and multilateral apparatus which has its ties in all sorts of political, economic, social and environmental fields. Such a supranational organization can barely be suspended from domestic legislation. The bachelor thesis shows how multiple actors affect the development of the SNHP and whether the European Union is more involved in water policies of its member states than it seems at first glance.

For the bachelor thesis a careful selection of actors had to be made. On the one hand actors supporting the plan of 2001 are presented while on the other hand opponents of the SNHP are indicated that lobbied for the MSNHP. Thereby, the characteristics of the actors involved are analyzed to make statements about their influence on the decision-making process. Hence, the actors' characteristics are described in the analysis. With insight about these the involvement of the actors is examined subsequently.

Spain is used as an example for an EU member state since almost all regions of the country suffer from water scarcity. It is one of the most water-stressed countries in the EU what is also illustrated in Figure 1 (European Environment Agency, 2005).

Figure 1: Change in total water abstraction in the period 1990-2004



Source: European Environment Agency (2005)

Since water scarcity is likely to affect many other member states in the future and since Northern countries like the UK or Belgium experience the problem of water-stress, too, the thesis should awaken the interest of everybody who is concerned about the environmental situation in Europe (Angelakis, Bontoux & Lazarova, 2003; European Environment Agency, 2005). Getting to know how the outcome of the MSNHP was influenced indicates interesting results for the actors involved that aim at manipulating the decision-making process in order to promote water scarcity prevention in Spain. Knowing the degree to which the EU is involved into domestic policies allows to reveal the real influence of the EU into water scarcity policies.

The outline of the bachelor thesis is the following: The subsequent chapter provides an introduction about the theoretical approach that is applied. Hans Bressers' Contextual Interaction Theory is explained there. Chapter three is the methodology chapter which presents the research questions, the strategy with which the research is conducted and the indicators that are used in the analysis. Chapter four gives background information about the EU's policy engagement in terms of water. This is necessary as the legal framework of the Community is of high importance for the thesis. The main part is elaborated in chapter five where the actors are illustrated, their characteristics are assessed and finally their involvement into the decision-making process is shown. The discussion of the findings comprises the final section of chapter five. The last chapter summarizes the conclusions that were drawn.

2 Theory

The involvement of actors in national government policies is a field where different kinds of theories can be applied. For this bachelor thesis I apply a theory that considers governance as an interaction process where actors involved play a crucial role. The Contextual Interaction Theory (CIT) of Hans Bressers is a useful approach to explain actor interaction and factors that influence them to have an impact on the policy decision-making (Bressers, 2009).

Before starting with an introduction about CIT it is important to mention that CIT includes more than what is outlined in this chapter. Since the bachelor thesis is limited in time I have to make restrictions in all parts of the study. In order to ensure a size which is appropriate concerning the faculty guidelines the theory had to be limited. In this research I apply the actors' characteristics of Bressers' CIT. Including other aspects like context layers of the theory would not have allowed me to write the bachelor thesis in its predetermined size.

The basic assumption of CIT claims that the development of a policy is based on the interaction of its actors. These actors can be businesses, non-governmental organizations (NGOs), political institutions or parties and other types of participants that are in position to have an effect on influencing politics. Besides the actors which are central for the policy-making certain factors exist that have an impact on the interaction process. The factors are not rigid but modifiable since this can have effects on the characteristics of the actors involved. According to Bressers a factor is significant as long as it has the opportunity to modify the actors' characteristics. The relevance of a factor depends therefore on its ability to have an impact on the actor. An important role plays the core actor since influencing its characteristics can change the policy outcome efficiently (Bressers, 2009).

Bressers distinguishes between three characteristics in this context. These are motivation of the actors, their cognitions and the actors' capacity and power. The mentioned characteristics have an influence on each other and should always be considered together since they shape the process of policy making.

Motivation explains the actors' behaviour and thereby also their attitudes and positions within the interaction process. Goals and values can be led by self-interest but can be influenced through altruism, too. In addition, external pressures on the actors can have a high impact on actors' motivation. Another factor that can have influence on motivation is the self-effectiveness assessment which indicates the effect if the preferred conduct of an actor is not within its potential capacity.

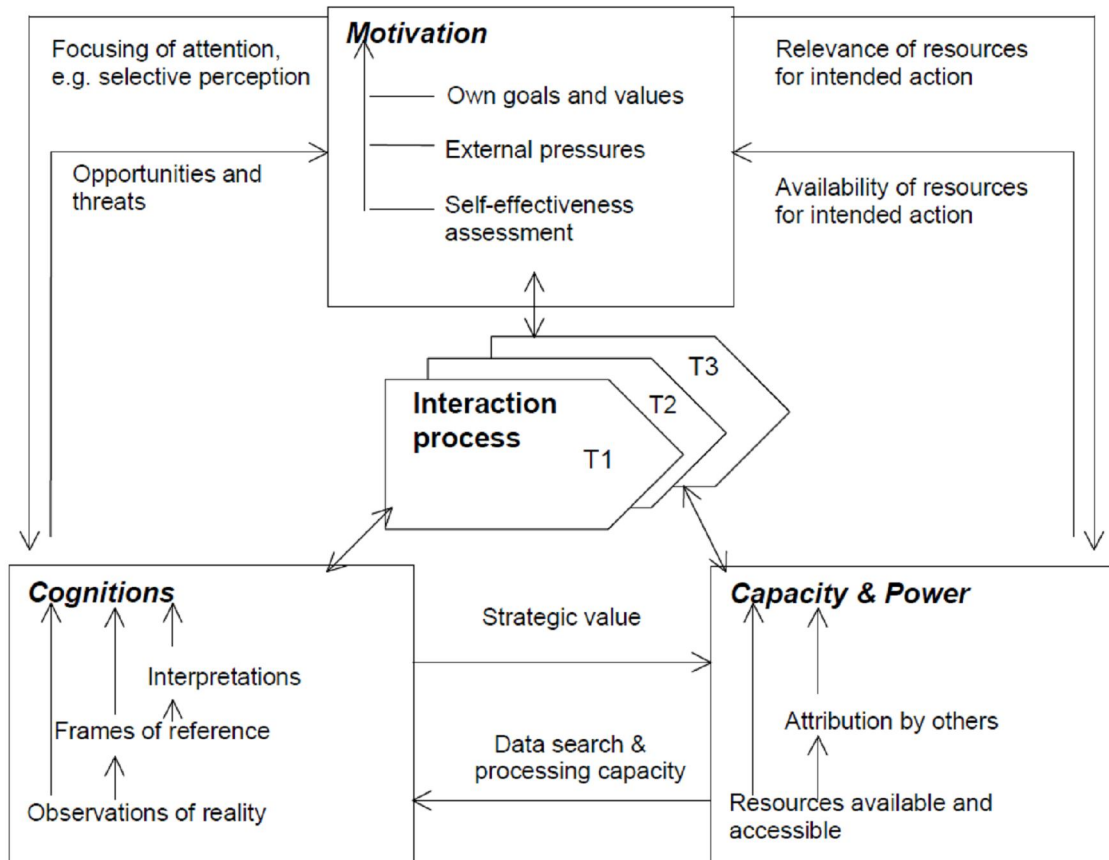
The characteristic of cognition is the way how actors perceive observations and information. Accordingly, knowledge is created through interactions on behalf of the interpretations of actors. Cognition is thereby seen as the interpretation of the real world (Bressers, 2009).

Capacity and power are seen as a source of power within the interaction process although the connection between the two is not always on one level. Power can only be achieved through the assignment of power through other actors. Important is that this form of attribution is maintained through real resources like money, skilled people, time or agreement. However, for an actor not only own resources are important. Resources enable actors to put pressure on another actor within the

interaction process. Whether the resources available are decisive in the process of policy-making depends on particular situations (Bressers, 2009).

In Figure 2 it can be seen how the three characteristics are linked with each other and how these are influenced by different factors. Regarding the coherence between motivation and capacity & power it is shown that the motivation of an actor determines to which extent power is considered as relevant. In return, available resources are important for defining the motivation of an actor.

Figure 2: Dynamic interaction between the key actor-characteristics



Source: Bressers (2009)

Motivation and cognition are also two characteristics that influence each other. While motivation makes an actor focus on a certain aspect and thereby influences its cognition the latter enables the actor to consider its opportunities and threats which again limits or strengthens an actors' motivation. Finally the interplay between cognition and capacity & power shows reciprocal effects, as well. On the one hand capacity & power provides data search through resources which supports the actor in making cognitions. On the other hand the cognitions enable the actor to develop a strategy in order to increase its power. Summarized can be said that the outputs of each core characteristic constitute inputs for the others; they are thereby continuously affected by each other (Bressers, 2009).

The three characteristics are also influenced by the direction and the experience of the policy making process, possible external factors and the development of collaboration among the actors. The latter is determined as so-called partnerships. Different mechanisms are able to enhance the bonds of a positive partnership. All of these mechanisms have in common that mutual adjustment among actors emerges as aspect for a well-functioning partnership. According to the first mechanism this situation arises if the actors have common values. The second mechanism results due to a shared used reference frame by the actors in order to interpret cognition. In the case that actors focus on their relative strengths the third mechanism is enabled. These three mechanisms can be considered as a

form of natural events which protect partnerships against negatively influencing factors (Bressers, 2009).

3 Research Methodology

The following chapter provides an overview about the methodological aspects of the thesis. Besides a deep elaboration on the research question focus is put on the research strategy and the operationalisation of the indicators within the analysis.

3.1 Research Question

The study shows how different actors come together in order to change the SNHP. These are several local, regional and national organizations or institutions but also actors from the European level. The characteristics of these players are outlined to see how power and influence is distributed amongst them. In order to discover the engagement of the actors involved the research question for the bachelor thesis is formulated as follows:

How did the different actors involved determine the way Spain changed its National Hydrological Plan from 2001?

As it would be difficult to answer the research question without any fragmentation I use five sub-research questions to facilitate this process. When the specific research questions are considered different aspects emerge as central issues. On behalf of these I want to show the main aspects the thesis deals with. It is indicated what the SNHP comprises and what the MSNHP implies, which main actors were involved and their characteristics are outlined. Finally it is assessed if and how they had influence on the interaction process of the MSNHP decision-making.

The sub-research questions improve the quality and structure of the study. Applying these questions allows creating single sections of the thesis that can focus in detail on the different aspects. The sub-research questions are the following:

1. *What is the SNHP from 2001(Law 10/2001 5th July, National Hydrological Plan)?*
2. *What is the modification of the SNHP from 2005 (Law 11/2005 22nd June to modify Law 10/2001 5th July National Hydrological Plan)?*
3. *Which actors were involved in changing the SNHP?*
4. *What were the powerful characteristics of these actors?*
5. *Which of the actors involved was most decisive in the development of the MSNHP?*

3.2 Research Strategy

The case of Spain is examined as an example since the country is one of the EU member states which is highly engaged in this area. A detailed analysis on the process of actor participation and EU involvement is outlined in depth. A research of this form implies qualitative data and methods (Punch, 2002). Therefore it can be inferred that the bachelor thesis' strategy is the usual setting of the Case Study Research (Yin, 2003). The research concentrates on a longitudinal observation of Spain. The time frame starts with the implementation of the SNHP in 2001 and lasts up to the introduction of the modification of the plan, the MSNHP, in 2005.

3.3 Conceptualization and Operationalization

In the research the dependent variable is the "modification of the SNHP, the MSNHP" which is explained by the characteristics of the actors involved in the interaction process. Moreover, different independent variables are applied. These independent variables are the three characteristics that are discussed in section 2.1: Motivation, cognition and capacity & power. In order to make the variable measurable I use three concepts based on CIT, namely the motivation of actors, cognition of actors and capacity & power of actors. As they were already described in chapter 2 of this thesis they are not outlined here again. However, in order to see how the three concepts are operationalized in the

bachelor thesis I explain which indicators are used for each of them and under which categories the findings about each indicator will be classified.

3.3.1 Motivation

In terms of motivation I examine why actors want to be engaged in the policy-making of water scarcity legislation. Motivation is defined as the origins for goal-oriented behavior, leading to the positions within the interaction process (Bressers, 2009). Three indicators are thereby used to make motivation measurable. First, the actors' *own goals and values* are analyzed. It is shown whether the participants act due to a pure self-interest or rather due to altruistic values. Second, *external pressures* are regarded. There is distinguished whether external pressure results from force by other institutions and groups or if these pressures are of soft nature, though still influencing the actor. An example for external pressures of force would be sanctions or financial penalties that are imposed by one actor on the other. Contrary soft impacts could be the acceptance of legitimacy of a higher institution (e.g. an NGO with 20 members accepts that it cannot influence an EU institution on its own but only by cooperating with bigger organizations) or identification with the group (e.g. a political party's board aims at supporting a certain law while the majority of its members is against this law, resulting in pressure from the basis of the party). Finally, the *self-effectiveness assessment* is applied as a third indicator. The indicator is important when an actor perceives its preferred behavior as not realizable since this leads to a demoralizing effect (Bressers, 2009). It can also be considered as the link between motivation and available measures. Imagine a scenario where an NGO aims to start a campaign but then realizes that it neither has the financial possibilities nor sufficient employees.

3.3.2 Cognition

Cognition is measured in relation to the perception and interpretation of the actors. The way they perceive the problem will be outlined. As operational definition for cognition I use the wording of Bressers' Contextual Interaction Theory. Accordingly cognition is the "interpretations of reality" (Bressers, 2009, p.9). In order to measure the cognition of the actors again three indicators are applied. First, *observations of reality* provides the actor with facts and information about a certain topic. It shows which statistics, numbers and documents are considered by the actor. Beyond that, it can be seen if an actor shares or exchanges this information with other actors. The second indicator is of high importance, too. It is the so-called *frames of reference* which points out the general policy direction of the actor. Several frames of reference can be distinguished, for instance economic (e.g. businesses), social (e.g. civil society organizations), political (e.g. political parties or NGOs), cultural, environmental, religious, legal and so on. Thereby the policy core beliefs of the particular actor are indicated. Third, the *actual interpretation* is the final indicator. After the adoption of a certain frame of reference an actor can again construe a policy from a different perspective. Thereby is distinguished between an interpretation of altruistic nature and an interpretation in order to achieve own benefits. As an example imagine how a political party and a business actor would act in order to influence a policy of water scarcity. Obviously, the frame of reference for the political party would be of political nature while the frame of reference for the business actor would be of economic nature. The political party could for instance act with the aim to establish a law which makes water accessible for all; hence its target is a benefit for all. The business actor instead would most likely try to lobby the government in order to have own benefits with the aim of increasing own.

3.3.3 Capacity & Power

The last concept which is operationalized is capacity & power. Power is defined by Bressers as "a result of attribution to an actor by others" (Bressers, 2009, p.10). The first indicator which is used for capacity & power are *resources available and accessible*. These resources include for instance legal rights, money or skilled laborers, time and consensus. On behalf of this back-up the second indicator can be established by an actor. Hence, *attribution by others* functions only with the help of these mentioned resources. Bressers states that power can only be maintained by an actor if such remedies are available. Moreover, the balance of power is also shaped by the degree of which an

actor is dependent on another actor's resources, giving the latter more power and capacity. A good example is the dependency of governments on businesses. Since the latter can create employment but also reduce jobs it can put pressure on governments during the decision-making process.

Summarized can be said that the operationalisation of the bachelor thesis uses three concepts which consist of different indicators. Motivation applies *own goals and values, external pressures and self-effectiveness assessment*. The concept of cognition uses *observations of reality, frames of references and interpretations* as indicators. Finally, the *resources available and accessible and attribution by others* are the indicators of capacity & power. Using the concepts and their indicators indicate how single actors work within the interaction process of water policies in Spain. It allows to show how the decisions were made since it can be seen which actors could highly influence the government and which could not. Table 1 in section 5.3 lists the concepts, indicators and categories again.

3.4 Sampling

The sampling type of this research is the so-called intensity sampling. There are many reasons why this kind of sampling is appropriate for the study. Crucial for the research was to use a sampling method where lots of information could be gathered. Yet, the purpose was also not to apply an absolute extreme case. With intensity sampling it was possible to select the case of Spain which provides lots of information. It provides in-depth knowledge about water policies in the country. With the means of literature review and exploratory work it was possible to make a judgement about the case of Spain in order to assess that the country is a rich example for the thesis.

Another issue which was very important to select Spain as a sample is its situation concerning water scarcity in comparison with the other EU member states. What was already mentioned in the introduction the fight against water scarcity is very urgent in Spain. While many other countries consider it as a problem for the future which gives it a lower significance in many agendas of national governments Spain is aware of the fact that many problems the country expects today and which it will expect in the future are linked to a lack of water.

3.5 Data collection

In order to answer the research question of the thesis the case study focuses especially on Spanish legislation. The legal documents are retrieved from BOE, the official journal of the Government of Spain. Thereby, the particular case of Spain as an example for an EU member state is analyzed. The historical development of the EU in order to combat water scarcity was investigated beforehand on behalf of the literature review. Afterwards the case of Spain is observed to show which actors shape the policies of the Government of Spain.

Official government documents, academic articles as well as books are examined. In addition, the thesis is dependent on newspaper articles and press releases of NGOs. The case study is conducted as a pure desk research. Due to the time range and resource limitations, other data sources like interviews, direct observation or participant observation were not realizable for the study. The instrument for the collection and analysis of the data is the author of the bachelor thesis itself. No auxiliary tools are used therefore.

3.6 Data analysis

For the data analysis it is aimed at presenting all available data that is necessary for answering the general research question as well as the specific questions. In order to do so several available official documents, press releases, general information of homepages, document exchange, letters, statistics and other publications of the actors are considered. On behalf of these the concepts of motivation, cognition and power are made measurable and it can be seen whether they had any impact of how the decisions were made. My interpretation of the research topic is presented in a structured form, making it a considerable option for the reader to adopt.

Concerning the first two sub-questions I analyze the legal texts of the SNHP and the MSNHP. In the bachelor thesis I summarize the two laws in section 5.1. By reading the texts it was possible to point out the differences among the policies.

The third sub-question shows the actors involved in the SNHP and the MSNHP. Therefore internet research is necessary in order to find out which actors were participating in the decision-making process. Since it is a national law I start with my research by observing how the government implemented the plans. Taking the Government of Spain as starting point the involvement of other actors can be discovered by broadening the scope. Activities of other actors need to be linked somehow to the national government in terms of opposition or cooperation which is why Government of Spain as a point of origin is necessary.

Considering the fourth question makes the characteristics of the actors a central part of the analysis. This question applies the indicators of section 3.3. In order to analyze these I need to find the correspondent information for each actor. In case of the legal rights of actors this means that the actor's position within the decision-making process is observed. Outlining their rights and duties allows me to analyze such data.

Finally the fifth question points out which actor was most decisive in the development of the MSNHP. The involvement of the actors described in this thesis is outlined. In order to answer this question the outcome of question three and four are necessary to include. As a result of the third question it could be discovered which actors are participating. Each of these actors is analyzed with data that describes what role the actor played and the activity it pursued.

By comparing the results of the fourth question the characteristics of the actors can be put into contrast. The indicators which show conformity among the actors are excluded. Afterwards only the indicators that differentiate can be used to point out reasons for the extent of importance of an actor.

4 Background Information about EU Water Legislation

Since the EU plays an important role for domestic legislation in general a short introduction about EU policies related to water scarcity is outlined here.

The question that emerges is to which extent the EU counteracts against water scarcity. In general, EU law possesses many forms like directives, regulations, decisions and other forms of legislation to align the policies of its member states (European Commission, 2009a). On behalf of these instruments the EU aims at protecting its inhabitants, economy and the environment. Legislature was adopted in order to establish a sustainable development of Europe and prevent serious harms to the European territory and its population.

The Water Framework Directive (WFD) (European Parliament and Council, 2000), the EU's main policy document in terms of water, focuses on the preservation of water to maintain quality standards in Europe (European Commission b, 2009). On the contrary, EU legislation focusing on water quantity is not existent. The policy development in this area started lately in 2006 and 2007 with an in-depth report about droughts and water scarcity published by the COM. Subsequently different policy options were outlined in the Communication titled: "Addressing the challenge of water scarcity and droughts in the European Union" (European Commission, 2007). The Communication points out seven policy options to be considered in order to combat water scarcity and drought issues (European Commission a, 2007):

- putting the right price tag on water
- allocating water and water-related funding more efficiently
- improving drought risk management
- considering additional water supply infrastructures
- fostering water efficient technologies and practices
- fostering the emergence of a water-saving culture in Europe
- improving knowledge and data collection

In the Communication, different possibilities for water management are outlined that are above all meant to introduce a debate about water scarcity in the EU. It is a first step in order to achieve a common EU awareness for water scarcity and droughts. The Commission aims at increasing measures in this field and slightly tries to bring member states together and discuss the topic.

A main reason that makes such a debate very difficult is the climate variance within the EU. While Southern member states like Spain experience water scarcity other countries like the Netherlands or UK are more occupied with the development of measures against flooding (Handmer, 2001; López-Gunn & Ramón Llamas, 2008). Although actually all EU member states have problems with water the sort of challenges they need to tackle are very different.

In cooperation with its member states and through own research the COM released two follow-up reports on the Communication, one in 2008 (European Commission, 2008) and another one in 2010 (European Commission, 2010e).

The 2008 Follow-up Report addresses different fields such as the promotion of water efficient devices and the introduction of water pricing which were already applied in many member states. At the same time the document from 2008 calls for more involvement by EU member states in the field of water scarcity and droughts, in particular for an improved drought risk management and an enhancement in the financing of water efficiency measures. While no statements concerning more obligatory cooperation can be found within the report the Commission calls indirectly for European-wide legislation in the domain.

Although in 2009 a so-called "hydrological relief" (European Commission a, 2010) could be noticed the Follow-up Report from 2010 states that the targets of the new Communication remain valid. More effort would still be necessary in order to stop the overexploitation of the limited water resources in Europe. Since member states often try to show their engagement by referring to their achievements the Follow-up Report from 2010 recommends them to implement correspondent parts of the WFD: "Most Member States reported that they fully implement the Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) Directives. In the case of projects significantly affecting the aquatic environment it is recommended that the assessment of water-related impacts required by Article 4 (7) WFD are incorporated in the SEA and EIA." (European Commission, 2010e, p.5) Summarized it is said that "... the delay in implementing the WFD can hamper the affected Member States in tackling water scarcity and drought problems." (European Commission, 2010e, p.7).

The current progress of policy development is based on a policy review by the Commission which will be published in 2012. The review has recently initiated and uses information provided by stakeholders, own research and the existent follow-up reports. Together with other policy documents and an analysis of WFD implementation it will comprise the so-called "Blueprint to safeguard European waters" (European Commission a, 2010).

Consequently, the examination of the development of water scarcity policies on the European level shows that approaches by the EU are relatively new. The Commission Communication from 2007 does not constitute any kind of obligation for EU member states. Although the COM considers further efforts as more than necessary EU institutions were not able to formulate a comprehensive document of legislation so far. The fight against the increasing problem of water scarcity and the related emerging challenges need to be tackled by EU member states.

5 Analysis

The analysis of the thesis consists of four main sections and one additional section where the results are discussed. Section 5.1 is purely descriptive. The SNHP and the MSNHP are described and explained. Their content is summarized and the goals for each policy are presented. In the subsequent section 5.2 actors involved are described. It is shown that several actors are participating in the decision-making process. In section 5.3 the indicators presented in 3.3 are applied on four actor constellations. Although many different actors are outlined in section 5.2 due to time and size limitations of the bachelor thesis it is not possible to assess the characteristics for all of them. In

order to limit the analysis and the application of indicators I came up with four categories that show different actor constellations: EU, Government of Spain, NGOs and Autonomous Community of Aragón. Section 5.4 discusses then the involvement for the four actor constellations in terms of their activities.

By starting with the description of the SNHP, the MSNHP and several actors involved I continue presenting the characteristics of the actors. After outlining the activities of the actors in 5.4 the last section 5.5 discusses the relationship between the characteristics and the actors' activities. Thereby, section 5.3 is used in order to explain section 5.4. On behalf of the actor characteristics, conclusions are made about the impact the actors had on the final outcome and which of the described actors can be considered as most decisive within the decision-making process. Although it would have been also possible to interpret the characteristics on behalf of the actors' involvement I choose for the other way around as I want to focus rather on the involvement than on the characteristics.

Two scenarios were possible to apply to the study. In the thesis a larger number of actors are described however these had to be categorized in actor constellations for the actual analysis. The other possibility would have been to select a smaller number of actors and apply the indicators to all of them. The guidelines of the thesis would not have allowed selecting as many actors as are presented in section 5.2 and apply indicators to all of them. As I think it is important to get an idea about the extent of actors that tried to influence the outcome of the MSNHP I made the effort to outline as many actors as possible. Only by having an overview about this actor amplitude one can understand the importance of the plan and the causes for the engagement of several organizations, political parties or institutions. However, it should be kept in mind that by far not all actors involved in the development of the MSNHP are presented in the thesis.

5.1 The SNHP and the MSNHP

The SNHP was originally introduced in 2001, yet in 2005 a modification of the plan was approved due to several critics. Sections 5.1.1 and 5.1.2 give an overview about the contents of these plans. Thereby the differences between the two policies can be recognized.

5.1.1 The SNHP of 2001

The National Hydrological Plan was adopted by the Government of Spain on the 5th of July 2001 and entered into force in August of the same year (Government of Spain, 2001). Main interventions the plan foresees is the construction of new dams and of a water transfer system. Officially, the SNHP consists of three parts:

- a) horizontal measures to assure sustainable water management, for instance an enhanced cooperation among local and regional authorities
- b) 889 projects mentioned in the Annex II of the SNHP which are small ventures in regions all over the country, like the construction of dams
- c) the water transfer from the Ebro delta to Spanish regions located at the East coast of the country.

The SNHP is mainly based on water supply management which makes item c) to the main policy (Government of Spain, 2001; WWF European Policy Office, 2003). The plan earmarks to transfer water from water-rich regions to water-stressed regions. In order to do so the water should be conveyed from the lower Ebro delta to the Spanish regions at the north east and south east of the peninsula (See Figure 3).

Figure 3: Water distribution according to the Ebro river transfer



Source: WWF (2002)

Spain is sub-divided into 17 autonomous communities, of which five would have been directly affected by the SNHP; water would be transferred from the Ebro delta in Aragón to Catalonia, Valencia, Murcia and Andalusia. The maximum distance for the water transfer would have accounted for 912 kilometers which is the way from the lower Ebro delta up to the Levante basins (Biswas & Tortajada, 2003).

The SNHP is based on the principles of decentralization and privatisation, excluding the state from a central role and leading to a privatized water market. According to the then government in charge, led by the People's Party (PP) and its Prime Minister José María Aznar, such a form of policy would support the liberalization of the Spanish economy and enhance the competitiveness in the country (Bukowski, 2007).

The plan identifies the problem of water scarcity in Spain and mentions remedies for supply management as a necessary and efficient solution for it. Within the text of the SNHP water is described as a scarce resource in the country which is allocated differently among the regions. Due to climatic, topographical and hydrological disparities new efforts are needed. The plan claims that a common activity is relevant in order to avoid adversely affecting and overpriced measures provided through the single communities. Accordingly, for the efficient and fair water distribution in the country the SNHP would be essential. It would provide a secure, sustainable, responsible and balanced manner for the water management in the present and future according the view of the then Spanish Government (Government of Spain, 2001).

For the successful development of the SNHP, its wording also mentions several principles that should be regarded during the employment of the new water management plan. The plan states that public authorities as well as the civil society should be participating in the process of establishment through a broad framework for consultation. Within the planning process the environment should be the decisive issue which would make the plan to be governed by diligence, rationality, sustainability, protection of water in the public domain, maintenance of good ecological status of water and

protection of environmental flows. Besides these aspects that focus on the social and environmental side of the SNHP, the economic aspect is considered, too. Accordingly, cost recovery should be an important principle of the plan. The SNHP states that various alternatives to the actual planning are necessary and sufficient cost-benefit analyses are needed that respect the environment, society, economy and technical conditions. In addition, the SNHP mentions another important principle on which the plan is based. It is said that the plan should be justified by vast public interest. Moreover, also a reference to EU legislation can be found. Within the SNHP it is explicitly mentioned that it should not be in conflict with the WFD (Government of Spain, 2001; Biswas & Tortajada, 2003).

5.1.2 The MSNHP from 2005

The MSNHP which modifies the SNHP of 2001 points out that in the actual planning and process of the original plan different aspects were disregarded and therefore need to be improved (Government of Spain, 2005). The modification shows three main issues which are the reasons for the development of a new plan.

First, the MSNHP states that the financial aspect leads to problems during the realization of the SNHP. Accordingly, the cost-benefit calculation would be misleading showing higher benefits and lower costs. Moreover, parts of the financial overview would be missing, wrong or not completed: the price structure for industry, consumers and agriculture would not be determined sufficiently; it would be unclear whether fixed prices are applied within different regions or communities and how this should be achieved; the positive benefits regarding new employment would be over-estimated; and the relationship between price and demand would not be clear.

Second, it is mentioned in the MSNHP that not all environmental effects are taken into account with the introduction of the first plan. Due to the hydrologic deviation it would be possible that certain water quantities might be lost. Accordingly, no calculation would exist that considers such a scenario neither is a future deliberation for the Ebro made since the suggested water transfer would have modified largely the Ebro's flow pattern. The modification from 2005 also criticizes that no measures are adopted in the first plan in order to protect the Ebro river and delta. Besides the neglected shelter for the river also the flora and fauna would not be included into the final considerations of the original SNHP, against legislation of the EU. In continuation the MSNHP states that although an environmental evaluation about the SNHP is existent no information can be found about the distribution of water, nor about pumps and installations that are needed therefore. According to the new plan this information is necessary as it determines the extent of energy needed. Thereby estimates could be made about Spain's compliance of the Kyoto protocol. Finally, the MSNHP says that the aspect of salinity is included neither in the SNHP nor in the environmental evaluation. The wording of the MSNHP claims that disregarding this aspect would be very risky since high degrees of salination within the Ebro or the receiving basins might lead to unforeseen and irreparable damages. The last main issue criticized by the MSNHP concerns technical aspects. MSNHP claims that the original plan disregards the availability of transferable water. No specifications would exist about the water quantity that could be deviated without endangering the sustainability of hydrological resources. In the SNHP this aspect would be ignored concerning the capacity of the Ebro but also in respect with the receiving basins (Government of Spain, 2005).

Due to these three general issues the newly formed Spanish Government of 2004 led by the Spanish Socialist Worker's Party (PSOE) with Prime Minister José Luís Rodríguez Zapatero developed MSNHP as a reviewed version of the original SNHP. MSNHP aims at fulfilling the following items:

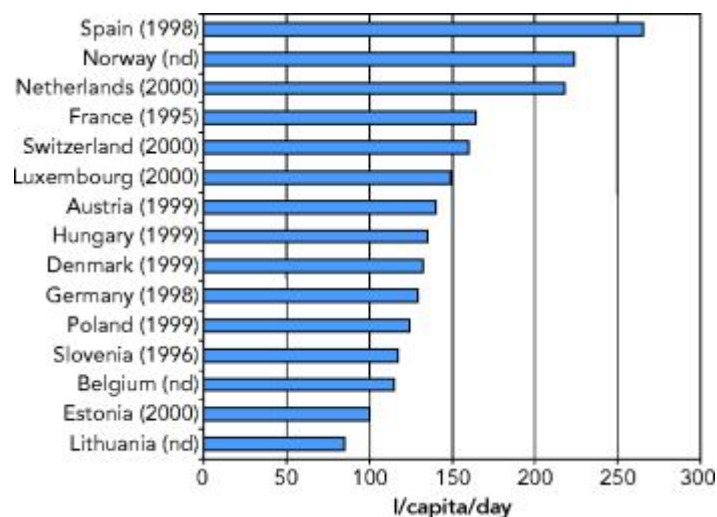
SNHP was criticized a lot due to non-compliance with several Directives of the EU. As the actual planning for the funding of the SNHP was to use around €8 billions from the EU Structural and Cohesion Funds, the financing was delayed since it was investigated whether the plan stood in conflict with EU legislation (James, 2002; WWF European Policy Office, 2003). The position of the EU concerning EU funding can also be seen when the wording of Commissioner Margot Wallström is considered: "We are still gathering all of the elements which we need to come to a final view on the issues of compatibility with EU environment legislation. This is important in its own right but it is also relevant for the attribution of EU funds to the projects making up the Plan." (Wallström, 2003, p.7). Therefore one of the main aims of MSNHP is to achieve compliance with EU legislation, in particular

with the WFD. Besides financing, options are also needed to improve aspects that concern the environmental or practical impact of the plan. On the one hand, it should be assured that equality, efficiency and sustainability concerning the distribution and use of hydrological resources are not endangered. On the other hand, it would be necessary to employ the best technical measures for available water in order to enable a good distribution of the hydrological resources (Government of Spain, 2005).

5.1.3 Missing aspects

By regarding the plans it stands out that both focus on different main projects to combat water scarcity. While the SNHP concentrates on water transfer from the Ebro delta to the regions located at the Spanish east coast the MSNHP brings desalination into focus. What is disregarded in both plans is the issue of water use. Although Spain has the highest per capita water demand in the European Union neither the SNHP nor the MSNHP pay attention to the demand aspect (Wallström, 2003). This claim by Margot Wallström is supported by an overview about per capita water consumption of 15 European countries in Figure 4:

Figure 4: Per capita freshwater demand in selected countries



Source: European Water Association (2002)

5.2 Description of the Actors Involved in the MSNHP

Different actors were involved in the MSNHP and had thereby an impact on the resulting policy from 2005. These actors come from very different levels of European, national, regional or local backgrounds. In this section, many actors that were involved in the development of the MSNHP are outlined. However, as stated earlier the guidelines for the bachelor thesis preclude a description for all of them. For the analysis a careful selection was made in order to indicate the most important ones and to show a representative choice of actors.

When the outlined actors below are considered it is possible to get the idea that only actors lobbying against the SNHP are described. Yet, it is important to keep in mind the frame on which is focused in the thesis. Before the introduction of the SNHP in 2001 many actors supported the Spanish Government of Aznar in their ideas. Public and private actors all over the country and also many regional governments, farmers, tourism and construction businesses, trade unions and some NGOs argued in favour of the plan. All of them would have had benefits from the plan in one way or another. However, a turning point emerged which made many stakeholders change their opinion. The regional government of Catalunya, in the beginning a strong advocate of the SNHP due to an increased water supply, rejected the plan later due to its environmental impact. In fact, after the enactment of the plan more and more actors refused the ideas of SNHP. Therefore almost all actors listed below were reluctant to the plan.

5.2.1 Governments of Spain (2000 – 2004 and 2004 – 2008)

While the Government of Spain represents the national interests it has a stable position about water policy. Regardless which political party constitutes the government water scarcity is a national problem in Spain and needs to be resolved by the national authorities in charge. However, it is interesting and crucial to observe the different governments that were ruling during the development of the SNHP and MSNHP. When the SNHP was introduced in 2001, the People's Party, the so-called Partido Popular, constituted the country's government. The then Spanish Prime Minister José María Aznar led the government and was decisive and responsible for the highly debated plan. He was in charge of the office during the legislative period from 2000 until 2004 (Partido Popular, 2010).

The impact different governments had on the development of SNHP and MSNHP can be seen when the reaction of Spanish Prime Minister José Luis Rodríguez Zapatero is considered after becoming the leader of the country in March 2004. Only one month after being in charge of the government he mentioned in a speech to the Spanish parliament that the whole plan will be reviewed. He thereby removed the main concerns of most critics. Zapatero mentioned that the water transfer from the lower Ebro delta to regions along Spain's East coast should be abolished and that 'some specific infrastructures' would be analyzed and modified. Behind this, he mentions in a speech that 'more efficient, cheaper and less disputed projects' would be used in order to substitute the water transfer system and the infrastructures that are needed therefore. Finally, he stated that the environmental effects of a new project would be analyzed in depth and taken into account for all new decisions regarding a modification of the SNHP (Zapatero, 2004; Hopkins, 2004).

5.2.2 European Union

One of the main actors involved during the process of the SNHP and its modification four years later was the EU. It had a crucial role for the implementation of the plan. There are two aspects that made the EU a central actor during this process. On the one hand the Spanish Government welcomed the EU as a stakeholder due to financial support; on the other hand EU legislation obliged the country's government to keep the SNHP in line with the principles of EU law (Wallström, 2003).

The total budget for the SNHP was estimated between €23 and €25 billion (James, 2002 & WWF European Policy Office, 2003). One third of it was supposed to come from the EU Structural and Cohesion Funds. The Directorate General Regio was responsible for the request by the Spanish Government in terms of the SNHP. Although the SNHP could have been considered as one project, Spain submitted separate applications for the funding of the plan. The Ebro water transfer, as one of these, could still be considered as a major project within the Structural and Cohesion Funds although it was only a part of the SNHP. Besides the project, several ventures of the Annex II list were sent to the Commission as a request for the financial support by the Structural and Cohesion Funds. In most cases, the EU refused the first query of Spain and expected the projects to be modified due to possible negative influences on the environment (WWF European Policy Office, 2003).

Like almost all domestic legislation also the SNHP tackled different aspects of EU law. According to several NGOs the plan would have infringed different EU Directives, though. Margot Wallström, the then Commissioner for the environment, mentioned that the SNHP might breach the following four Directives of EU law (Wallström, 2003):

- The Habitats Directive 92/43/EEC which protects several animals and plant species and the Birds Directive 2009/147/EC that is in charge of the conservation of wild birds are both two pieces of EU legislation which would have been likely to be in conflict with the SNHP. Proposed water transfer from the lower Ebro could have a negative influence on the river and thereby would stand in conflict with the two Directives. It would be possible that negative impacts arise due to established infrastructures in the Ebro itself and the receiving water systems.
- The SNHP threatens also the correct implementation of the WFD due to negative influence on the climate, differences in vegetation patterns, the Aragon Water pact, and the definition of a fulfilling flow system to conserve the ecological and chemical status.

- The Environmental Impact Assessment Directive might have been infringed as well as it was doubted that the environmental impacts of SNHP decisions were calculated sufficiently before the introduction of the plan. Such a deliberation is necessary according to the Directive.

5.2.3 NGOs

Several NGOs were involved in the development of the SNHP and MSNHP. In this section a difference is made among two kinds of organizations. On the one hand there are leading and commonly known NGOs outlined, while on the other hand smaller mostly local, regional or national organizations are illustrated.

5.2.3.1 International and European NGOs

The European Environmental Bureau, the Worldwide Fund for Nature, BirdLife International, Friends of the Earth International and Greenpeace were some of the bigger organizations that tried to lobby on the SNHP. They also cooperated in order to increase their influence. In this section also the European Water Association is mentioned. Though, it was not involved in the conjoint activity of the former five NGOs.

The European Environmental Bureau (EEB) is a network coalition that unites several environmental organizations from all over Europe. It provides expertise in all environmental issues like biodiversity, waste, nanotechnology, chemicals, ecolabel or climate change. The EEB represents its member organizations on the European level and promotes their demands. Through a dialogue with the European institutions the EEB has a good position in order to influence environmental legislation in Europe. Furthermore, documents, reports and research are provided which are necessary to inform its members but are also interesting for the public (EEB, 2010).

Worldwide Fund for Nature, better known as WWF, is one of the biggest environmental NGOs in the world. Main aim of WWF is the preservation of nature. This means that animals and the surface of the earth are protected by measures that aim at combating climate change. The organization cooperates with different NGOs, businesses but also government authorities based on research and advocacy (WWF, 2010b).

As the name says BirdLife International is concerned with the conservation of birds, their habitats and global biodiversity. Sustainability is the main principle of the organization in order to maintain the living space of birds in the modern world. BirdLife International has partners in more than 100 countries and operates worldwide. Through regional and small programs the organizations tries to focus on small-scale ventures that are necessary for the protection of birds thereby avoiding the extinction of these animals (BirdLife International, 2010).

Friends of the Earth International (FOEI) is the world's biggest grassroots environmental coalition working on environmental and social issues. It consists of 77 national member groups and about 5000 local groups, located on all continents. According to FOEI the organization challenges today's way of globalization since sustainable solutions for different kinds of domains are developed. The coalition has five programs on which they work: "climate justice and energy; food sovereignty; economic justice – resisting neoliberalism; forests and biodiversity; and water" (FOEI, 2010).

Greenpeace is the fifth relevant NGO. Like WWF, Greenpeace is an international environmental organization with different offices around the world. The organization is concerned about environmental problems and structures its campaigns into six fields: "stop climate change, forests, defending the oceans, agriculture, eliminate toxic chemicals and end the nuclear age" (Greenpeace, 2010).

Finally, the European Water Association is an independent NGO which aims at improving water management by making it more efficient and sustainable. Although it is also a well-known NGO it did not cooperate with the other International and European organizations that were described above (EWA, 2002).

5.2.3.2 Local, regional and national NGOs

Local or regional environmental movements, trade unions or smaller NGOs organized local events against the SNHP. Some of these NGOs were:

- Ecologistas en Acción; a green confederation consisting of more than 300 environmental groups all over the country
- Comisiones Obreros de la Rioja; a regional trade union
- Bakeaz; a Spanish NGO working in the fields of sustainability and environment
- Asociación Ecologista para la Defensa del Acuífero 23; an association engaged in a water project in the Spanish region Castilla La Mancha

All of these smaller organizations were very involved in order to enlighten the Spanish population about SNHP and tried to make it a public issue (La Calle Marcos, D. & Monge Lasierra, C., n.d.).

Another engaged organization of smaller dimension is the so-called Platform en Defensa of the Ebro (PDE). It is a group that participates actively in the fight against the water transfer plan, located in Catalonia. According to the association 200,000 persons would be affected by negative impacts as a result of the planned water transfer. They claim that problems would emerge due to two reasons. On the one hand an alternative route for the upstream water of the Ebro providing water for irrigation would bring obstacles for the environment. On the other hand, a vast decrease of suspended solids load in the Ebro as consequence of several new constructed reservoirs along its edge would make the river much more damageable (PDE, 2010).

5.2.3.3 Cooperation of NGOs and political parties

Besides several NGOs, the political parties in Spain and on the European level were concerned about the development of the SNHP, too. Amongst them Esquerra Republicana de Catalunya, a political party in Spain and the Greens/European Free Alliance (Greens/EFA) based in the European Parliament (EP) cooperated with different NGOs.

Esquerra Republicana de Catalunya (Esquerra) is a leftwing party with the main ideal of an independent Catalonia on the Iberian Peninsula. The party pursues three principles that are central for their political development and which are the foundations for their political behaviour. The composition of the party's name represents thereby the principles: "Esquerra" which means left in Catalan stands for social justice based on left-wing politics. The republican aspect reflects the democratic commitment of Esquerra. Finally, "Catalunya" represents the national identity of the region (Esquerra, 2008).

The Greens/EFA is not a national political party but a parliamentary group in the EP. It consists of Greens as well as 'stateless nationals and disadvantaged minorities.' The group is based on different principles which are included in day-to-day politics. They say that their aim is a sustainable development of social and economic changes in Europe. These changes need to be in relationship with the environment, culture and democracy. Besides that, according to their principles the Greens/EFA stands for a peaceful way of politics as conflicts are meant to be solved without military forces (The Greens/EFA, 2010).

5.2.4 Autonomous Community of Aragón

Many Autonomous Communities would have become involved by the water diversions around the Ebro delta. Among these Aragón is one of the regions that would have been affected most by a water transfer from the Ebro delta to the east coast of the Iberian Peninsula. Therefore, the example of Aragón is examined in order to see the impact of the SNHP on a Spanish region. As the people and the government in Aragón were very engaged concerning the SNHP the selection is reasonable.

Making statements about an Autonomous Community demands an introduction into the power balances between these regions in Spain and the national government. Article 148 of the Spanish constitution gives an overview about their legal rights. Although paragraph 10a of this article assigns the autonomous communities competences for hydrological projects within its territory the article is not relevant in matters of the SNHP. Since the plan is a national project that tackles the interests of

different regions Article 149, paragraph 22a and 24a are relevant. They assign in such a case competences to the national government.

Behind this, the power distribution between the regions and the federal government of Spain differs among the communities and is renegotiated periodically as laid down in the so-called Statute of Autonomy. The last modification of the Statute of Autonomy for Aragón dates back to 2007. One of the main items of this statute is that the public authorities of Aragón need to ensure that deviations of hydrological sources are avoided (Frankland, 2006). However, before 2007 no reference could be found mentioning a special right for the region on water policies. This is certainly resulting from the decision-making of the SNHP when the demands of Aragón were easily ignored by the Government of Spain (Cortes de Aragón, 2007).

5.3 Main characteristics of the actors Involved in the MSNHP

In this section the indicators of 3.3 are applied on four actor constellations. It was already mentioned before that the size and time restrictions of the thesis oblige me to make a careful selection of actors. Therefore I use four categories which are Governments of Spain, EU, NGOs and Autonomous Community of Aragón. While the first three can be considered as actor constellations the last category is describing one actor.

Moreover, the indicator *resources available and accessible* is only analyzed in terms of "money" and "legal rights". Applying all sorts of resources mentioned in CIT would not be realizable due to the guideline of the thesis. Among these resources I expected that the issues of money and legal rights were most decisive for actors' involvement in case of the MSNHP which is the reason why I chose for these.

In order to make an assessment it makes sense to have a look on the methodology chapter again. The idea is to consider actors step by step in terms of the indicators. An overview about all concepts, indicators and categories is provided in Table 1. Behind that, Tables 2 – 5 in the corresponding sections show the indicators applied for all actor constellations or the actor of Aragón.

Table 1: Concepts, Indicators and Categories

Concept	Motivation		
Indicators	Own goals and values	External pressures	Self-effectiveness assessment
Categories	- Self-interest - Altruism	- Force by others - Soft nature	- Preferences realizable - Preferences not realizable
Concept	Cognition		
Indicators	Observations of reality	Frames of reference	Actual interpretation
Categories	- Use of official government documents / own research - Use of doubtful sources	- Environmental - Economic - Political - European - Regional	- Altruistic benefit - Own benefit
Concept	Capacity & Power		
Indicators	Resources available		Attribution by others
	Money	Legal Rights	
Categories	- Yes - No	- Yes - No	- Attribution - No attribution

5.3.1 Governments of Spain

Since the Spanish Government was the central actor concerning the SNHP and the MSNHP it is necessary to illustrate it here in depth. I already pointed out that the change in government in 2004 was essential for the development and modification of the SNHP. In this section I start with an analysis where I apply the indicators on the Government of Spain as an actor constellation. However, when an indicator is different among the Aznar government and the Zapatero government it is mentioned and explained. Hence, a difference is made under this item about the two legislative periods of 2000-2004 and of 2004-2008.

5.3.1.1 Motivation

Spain has a constitution since 1978 that is tightened by a parliamentary monarchy based on democracy. It consists of a bicameral system where the prime minister is responsible to the Congress of Deputies and the Senate (Kingdom of Spain, 1978).

After legislative elections, which occur usually every four years, the leader of the party receiving most votes or the leader of the majority coalition becomes the president of the government, also called Prime Minister, after the proposal by the monarch and the election by the National Assembly. According to Article 66 of the Spanish Constitution the government is responsible to its electorate (Kingdom of Spain, 1978).

The Government of Spain is responsible for the water supply in its country. Aznar as well as Zapatero acted in the case of the SNHP and the MSNHP to change the water management system in the country. Since water scarcity is a serious problem in Spain they needed to satisfy the demands of the population. Thereby, the projects were also linked to other political aims like increasing employment. The members of the government are expected to act by accountability and transparency in favor of the country and its population while maintaining the legal grounds that are ensured by the constitution. A democratic government that would act without including any ideas or wishes of the electorate at all would be very unlikeable to become voted again (Downs, 1957). Due to this relationship between the government and its voters I consider the Spanish Government as not acting out of pure self-interest in the case of the SNHP and assign altruism as category in terms of *own goals and values*. I expect the national government to act in order to support the will of its people.

Although the SNHP is a national law, the government is still forced regarding *external pressures* by the EU as a higher institution. A ruling of the European Court of Justice would influence the SNHP and thereby the government. Such a ruling could in the worst case abolish the whole plan. Behind this, national authorities have to implement EU Directives which cannot be ignored by member states (European Commission, 2010b). Another external pressure would be internal demand of the party basis in order to change the policy. In the case of the SNHP the project was supported by the majority of its party affiliates. Publishing such a big policy like the SNHP against the will of its members would be very difficult for a government. When the plan was voted in the Spanish Congress a majority of the PP members supported the SNHP. 188 votes were in favor of the plan while 135 were against it (Elmundo, 2005). The Governments of Spain are therefore clearly influenced by soft pressure.

The Spanish Government should be able to achieve its preferences. According to Article 149, paragraphs 22a and 24a of the Spanish constitution, the ruling government is responsible for "Public works of general benefit or whose execution affects more than one Selfgoverning Community." (Kingdom of Spain, 1978). Accordingly, the government is in charge for projects like the SNHP which tackles the interests of several autonomous communities. Respecting the rights and duties of these communities and the EU the Spanish Government is able to realize its policies and thereby its preferences. A good example for the *self-effectiveness assessment* is the change from SNHP to MSNHP. When Zapatero became Prime Minister in 2004 he abolished the SNHP and made major changes by developing the MSNHP. This shows the central position of the government within the decision-making process and how it can achieve its preferences.

5.3.1.2 Cognition

A government develops own documents, uses independent research and provides own studies. In the case of the Government of Spain this is the so-called BOE. It is a database where on the one hand international treaties or resolutions can be found and on the other hand Spanish legislation, petitions, complaints or other official documents are published. Considering the *observations of reality* in case of a government, especially of one that is a member of the EU, it can be assured without doubts that official documents are used (Government of Spain, 2010b).

In terms of *frames of reference* a difference needs to be made between the government led by Aznar (PP) and Zapatero (PSOE). The PP is a center-right party that is based on traditional values. For the elections in 2000 they pursued four main aims: maintain the growth of the national Gross Domestic Product (GDP), increase job employment, improve social welfare distribution and put Spain in the focus of Europe and the world. As can be seen the first issues are directly related with the economy (Partido Popular, 2000). What was already mentioned in section 4.1.1 Aznar and his government considered the SNHP as a possibility to strengthen the economy through a privatized water policy in Spain (Bukowski, 2007). On the one hand the problem of water allocation should be resolved but simultaneously the SNHP was used to increase employment. Correspondingly, I assign to the Aznar government an economic frame of reference. On the contrary, the Zapatero government rejected the idea of Aznar's plan and stopped the water transfer project. Zapatero argues against the plan based on its inefficiency, the huge emerging costs and the low degree of environmental sustainability. While the main purpose of the plan according to Aznar was to boost the economy by the means of privatization, Zapatero acted due to many reasons. In the meanwhile a majority of the Spanish population was against the plan. Moreover, it would have been unlikely that the SNHP would not infringe EU law. Hence, it would not have been allowed for funding by the EU Structural and Cohesion Funds. Finally, Zapatero argued also with environmental reasons for an abolishment of the plan (Hopkins, 2004). Therefore, I assign the Zapatero government a political frame of reference. The plan might have been abolished due to ideological reasons and a conviction within the PSOE that the negative environmental impact of the plan was too big. Though, the fact that there was no support anymore for the SNHP by the electorate and since there were problems by the realization of the plan concerning its conformity with EU law such a conduct is obviously pursued also by reason of political causes.

It is unreasonable to conclude that the governments pursued the SNHP only for their own benefit. As mentioned above Aznar tried to activate the employment market on behalf of privatization in the water distribution field. Contrarily, Zapatero supported the population's will to abolish the water transfer project. Although both fostered two different developments, they thereby showed an altruistic behavior concerning the actual interpretation.

5.3.1.3 Capacity & Power

For the year 2004 the budget available to the Spanish Ministry of Environment to implement the SNHP amounted €3.339 billions. The number represents an increase of 11.4 % to 2003. I can therefore estimate that since the introduction of the SNHP about € 3.000 billions were available for the plan each year. Considering the whole costs of the plan which are estimated between €23 and €25 billions it becomes clear that the Spanish Government was dependent on other actors to finance the project (James, 2002; WWF European Policy Office, 2003).

In terms of legal rights the Spanish Government is in a good position to develop policies or new legislation. Like in most democracies the government introduces proposals for laws which need to be accepted by a majority in the parliament (Kingdom of Spain, 1978). However, it is difficult to categorize the power balance between EU member states and the EU as a supranational body. On the one hand a ruling by the European Court of Justice could entail financial burdens for the infringing member state. On the other hand the member countries know about their rights and duties. As ruled in the Case 6/64 Costa vs. E.N.E.L of the European Court of Justice, Community law is supreme to national legislation: "*It follows from all these observations that the law stemming from the treaty, an independent source of law, could not, because of its special and original nature, be*

overridden by domestic legal provisions, however framed, without being deprived of its character as community law and without the legal basis of the community itself being called into question." (ECJ, 1964). Still the Government of Spain has sufficient legal rights in terms of own resources to develop a water policy like the SNHP.

Before the implementation of the SNHP different organizations, businesses and other actors supported the government in their plans. After the introduction of the SNHP especially NGOs that aimed at influencing the plan cooperated directly with the highest institution, the EU instead of the Spanish Government (Bukowski, 2007). The NGOs and other institutions were not completely dependent on the Government of Spain but could rely on the EU. Therefore *attribution by other actors* during the decision-making of the MSNHP could not be discovered.

Table 2: Governments of Spain (PP and PSOE)

Concept	Motivation		
Indicators	Own goals and values	External pressures	Self-effectiveness assessment
Categories	Altruism	Soft nature	Preferences realizable
Concept	Cognition		
Indicators	Observations of reality	Frames of reference	
Categories	Use of official government documents + own research	Economic (PP)	Political (PSOE)
			Altruistic benefit
Concept	Capacity & Power		
Indicators	Resources available and accessible		Attribution by others
Categories	Money partly available + legal rights		No Attribution

5.3.2 European Union

In this paragraph the EU is considered as one player. It would be too extensive to elaborate on the single institutions and apply the indicators to all of them. Although the EP and the Commission pursue different actions concerning the SNHP, they are both institutions of the EU which is why they are considered together within the actor constellation EU.

5.3.2.1 Motivation

The European Union is a supranational institution representing the will of 27 member states and acting on behalf of 500.000.000 inhabitants (Foundation Robert Schuman, 2010). In order to establish and maintain a Union of equal opportunities two main reasons are relevant for the engagement of the EU within the SNHP. On the one hand the EU needs to ensure that the plan is not in conflict with EU Environmental policies or laws in order to maintain its legal framework. On the other hand Spain seeks for the financial support on behalf of the EU Structural and Cohesion Funds which requires an elaborated examination of the plan, too (Wallström, 2003).

The conduct of the EU regarding the SNHP is therefore based on the opinion of its member states if it acts through the EP or for the benefits of Europe if it acts through the COM (Europa, 2010). Therefore altruism is assigned in terms of *own goals and values*.

With the same reasoning used for the altruistic goals of the EU, the *external pressures* can be explained, too. Soft pressures come from the member states or the political parties within the countries since the desires of these are transferred to the European level on behalf of the EP and the Council of Europe (Sauter, 2009). As neither the COM nor the EP took a position concerning the SNHP it is difficult to point out soft pressures that influenced the behaviour of one of the institutions. The only issue that is a clear symbol for soft nature was a call by the EP on the European Commission to reject any funding for unsustainable water transfer ventures (United Nations, 2002).

In terms of preferences, the EU can, as far as it is based on European legal grounds, interfere in national legislation of its member states. Every member state is obliged to implement EU legislation. In case that one of the member states fails to imply certain Directives or other Regulations the institutions in charge regulate infringements (European Commission, 2009a). This is also the reason why the COM examined the conformity of the SNHP with EU legislation (Wallström, 2003). The preferences of the EU are the compliance of its member states with EU law. A threat of these principles of EU legislation would be modified and punished by means of political remedies. Such a hierarchy provides the EU with the possibilities to realize its preferences of the *self-effectiveness assessment*.

5.3.2.2 Cognition

In cooperation with the Spanish Government and contacted by several organizations, the EU tried to find a consensus for all involved parties. It maintained thereby, on behalf of its institutions involved, the EP and the Commission, for the whole time a neutral position. During 2001 and 2003 the Commission regarded the reports published by the then Spanish Government led by Aznar and gave feedback on those (European Commission, 2010). Besides that, the EP sent a delegation to Spain in order to observe the situation in the affected regions directly (European Parliament, 2003). For their assessment official documents were used.

In general all *frames of reference* could be assigned to the European Union. It is a multisided supranational institution that is concerned with all aspects of politics. Although the basic idea of the EU was to boost the economy in its member states and thereby establishing a peaceful Community in the meanwhile the apparatus is concerned with all kinds of issues that affect its inhabitants. Assigning the EU today one frame of reference appears as impossible. In respect to the SNHP, the EU acts due to environmental and financial reasons but also in order to maintain the balance of powers between member states and the EU institutions. Since it cannot be argued that the EU acts above all due to one of the reasons mentioned I assign it a European frame of reference. The EU pursues its politics in order to maintain its supranational character. Ensuring the compliance of its member states with all sorts of aspects is therefore necessary and in terms of Europe.

The argumentation for the activity of the EU is not based on own benefits but aims at the protection of its environment and also maintains the power balances of its legislation between the institution itself and the member states. Achieving to preserve this relationship and ensuring a right application of EU law is not only in the interest of the EU but brings benefits for all members. Therefore, I assign the EU an altruistic benefit in terms of their *actual interpretation*.

5.3.2.3 Power & Capacity

For the period from 2000 – 2006 the budget of the EU Structural and Cohesion Funds amounted 213 billion Euros (European Commission, 2010f). This is an enormous budget which would have allowed the EU to fund the SNHP with estimated €8 billions, representing one third of the whole plan (WWF European Policy Office, 2003). Since the Government of Spain was dependent on the EU because of the funding it is shown that *attribution by others* is existent on the European level. Besides the demand for financial support by member states EU institutions also provide financial backup to NGOs through the so-called Life+ program (Lehmann & Bosche, 2003; European Commission d, 2010).

In terms of legal rights the EU enjoys many possibilities to be active. EU law is supreme towards national law which strengthens the powerful position of the EU as an actor even more (European Commission, 2010b). This is reflected when the engagement of the EU in the SNHP is illustrated. Since the Habitats Directive, the Birds Directive, the Water Framework Directive and the Directive on Environmental Impact Assessment might be infringed by the SNHP the EU has to examine the effects of the plan and can interfere in case of conflict between EU legislation and the SNHP.

Table 3: The European Union

Concept	Motivation		
Indicators	Own goals and values	External pressures	Self-effectiveness assessment
Categories	Altruism	Soft nature	Preferences realizable
Concept	Cognition		
Indicators	Observations of reality	Frames of reference	Actual interpretation
Categories	Use of official government documents	European	Altruistic benefit
Concept	Capacity & Power		
Indicators	Resources available and accessible		Attribution by others
Categories	Money + legal rights		Power Attribution by others

5.3.3 NGOs

Although in section 5.2 differences were made among many actors I consider NGOs here as an actor constellation and apply the indicators to it. NGOs like WWF were mentioned above but also smaller associations like PDE were outlined. In general it is known that these organizations differ a lot in terms of size and resources available. Their position within the decision-making process can be expected to be on a similar level, though. Due to the extent of the thesis I consider the described NGOs together.

5.3.3.1 Motivation

NGOs usually fight for issues that should be improved in their eyes. This concerns for instance the environment, certain minority groups of the population or animals. They often claim to be the voice of the citizens. With this argument they represent parts of the population in order to lobby the decision-making processes in countries or supranational institutions (compare WWF European Policy Office, 2001 & PDE, 2010). Although smaller and bigger NGOs both have altruistic goals a difference can be seen considering the case of the SNHP. While the former fight for smaller local or regional projects, NGOs like WWF or Greepeace focus on legislation and try to make the EU aware of possible directive infringements through the SNHP.

Considering *external pressures* it can be seen that NGOs are influenced by forces of soft nature. Since the strongest instrument NGOs have is to start campaigns and make people focus on certain issues they are thereby accountable to the public or at least to its members. For the trade union Comisiones Obreros de la Rioja it was necessary to have the majority of its members supporting the complaint they sent to the EU. Maintaining a form of democracy within its organizations allows these to grow or to remain in size (La Calle Marcos, D. & Monge Lasierra, C., n.d.). Besides that, many projects of environmental NGOs are funded by the Life+ program of the EU which establishes a hierarchical order by making NGOs accept the power of institutions like the EU (European Commission, 2010d).

In the decision-making process NGOs cannot directly influence the outcome but need to communicate their visions to parliamentarians or others that are involved in the process. In the case of the SNHP the preferences of the NGOs were realizable, though. Due to the fact that the EU was involved very early in the issue and mentioned concerns about the plan that were covenant with the claims of the NGOs the latter had a powerful institution that supported their reasoning and argued in a similar way. The EU was especially in the beginning impartial concerning the SNHP. However, a tendency of the EU's behavior in reaction to the plan could be assumed early. The question about the contradiction of the SNHP and EU directives was raised which showed that the legal conformity of the plan with EU legislation was doubted (Wallström, 2003). In general NGOs recognize their weak position within the decision-making process. While they might have problems to lobby national governments NGOs described in the thesis rely on the impartiality of the COM. In the case of the

SNHP NGOs functioned besides their ideological conviction as a legal adviser. Making the EU institutions aware of EU law infringements positions the NGOs next to the COM and makes their preferences realizable.

5.3.3.2 Cognition

NGOs work in close relationship to research institutes or governments. In order to make statements about the environmental impact of certain regulations or laws they work with publicly available government documents or make their own research. WWF for instance published a paper that argues against the SNHP with seven reasons. The organization included in their document several case studies showing how the plan infringes EU legislation (WWF, 2002). Another example comes from the European Water Association (EWA) which made an assessment about the new water culture in Spain. Documents or papers like these can be found on almost every homepage of NGOs. Some of them even have a search engine which lists the publications in chronological order (EWA, 2005). I assume therefore that most NGOs involved in the SNHP used official documents.

The frame of reference that NGOs apply can be of very different backgrounds. Political, economic, environmental, financial, social and several others would be imaginable. However, in the case of the SNHP all of the NGOs that were mentioned in the thesis and which were involved in the campaigns against the plan acted in order to protect the environment. While most of the smaller organizations lobbied for the protection of single regions or river basins that were affected by the SNHP the bigger organizations like the European Environmental Bureau or BirdLife International plead for the compliance with EU directives and the threat for the environment in general that results from the plan (James, 2002 & PDE, 2010). An environmental frame of reference is assigned to the NGOs.

Considering the example of BirdLife International or WWF, it can be seen that NGOs work not for own purposes but for the benefit of a majority or others. An organization that tries to protect the life of birds is clearly working not for its own benefit but in favor of animals (BirdLife International, 2010; WWF, 2010).

5.3.3.3 Power & Capacity

NGOs depend on different funding sources in order to survive. The EU is one of these possible sources as it provides also grants to NGOs based on the so-called LIFE+ fund. The EU fosters the development of these organizations by funding environmental protection projects. It profits of a dialogue with all stakeholders involved since a satisfying outcome for all parties is thereby more likely (European Parliament and Council, 2007). Another opportunity for fundraising of NGOs is an appeal for donations. WWF for instance but also many other organizations use such remedies in order to increase their budget (WWF, 2010a). Finally, some NGOs are also providing research what makes them eligible for funding by the state. NGOs are thereby provided with financial remedies and also dependent on actors like the EU. Though, their budget can by far not be compared with the financial possibilities of governments or the EU.

In respect with the legal opportunities, NGOs have no possibilities to restrict a government. In the case of the SNHP, NGOs function as actors that give notice to the EU about possible legal infringements of the Spanish state.

During the process of policy-making, NGOs do not receive lots of attribution by others. Although they are often supported by the public, or at least parts of the public, NGOs are rather excluded from policy development and attribute powers to other participants. Typical example would be how NGOs seek for the support of the EU in order to get involved. However, the other way of power attribution from the EU to the NGOs is rather unlikely and could not be discovered during the research.

Table 4: NGOs

Concept	Motivation		
Indicators	Own goals and values	External pressures	Self-effectiveness assessment
Categories	Altruism	Soft nature	Preferences not realizable on their own
Concept	Cognition		
Indicators	Observations of reality	Frames of reference	Actual interpretation
Categories	Use of official government documents / own research	Environmental	Altruistic benefit
Concept	Capacity & Power		
Indicators	Resources available and accessible		Attribution by others
Categories	Money (but dependence on others) No legal rights to influence decision-making		No attribution

5.3.4 Autonomous Community of Aragón

The last actor on which the indicators are applied is the regional government, also called las Cortes de Aragón. In the thesis the region stands representative as an example for the autonomous communities in Spain thereby forming the regional level.

5.3.4.1 Motivation

Considering the reasoning I presented in section 5.3.1.1 about the Spanish Government I also assume that the regional government in Aragón acts on behalf of its electorate. Since the public opposition was huge in the region and the government adopted the same view as its citizens I assign altruism in terms of *own goals and values*.

As an autonomous community Aragón can determine the activity in its territory to the degree it is mentioned in Article 148 of the Spanish constitution. Nevertheless, it is important to keep in mind that the Spanish Government can influence regional politics as well. It can act on behalf of Article 149 which allows the national government to be involved in issues that tackle the concerns of several communities. This is a clear sign for the soft nature of *external pressures* that affect the Autonomous Community of Aragón (Kingdom of Spain, 1978).

A region like Aragón is able to determine the politics of its community as far as the Statute of Autonomy allows it. The SNHP instead was a national project, even affecting politics of the European Union. Although Aragón was directly tackled by the plan it was only a secondary actor in respect with policy-making. The possibility to realize its preferences is also shown at a referendum that Aragón planned before the implementation of the SNHP. A group of the regional parliament, in particular members of the "Party of Aragón", tried to show by means of a referendum the conspicuous opposition of the regional population towards the plan (Blasca Nogués, 2001). Such a political instrument could have been very useful as the wording of the plan says that the SNHP implementation is based on a consensus of all stakeholders (Government of Spain, 2001). A referendum indicating an overwhelming resistance among the citizens of Aragón could have been used in order to abolish the SNHP. However, the referendum was rejected immediately by the court of Aragón (Administrative Courts of Aragón, 2001). The SNHP was no policy where Aragón was directly participating in the decision-making process, which is why their preferences could not be realized on their own.

5.3.4.2 Cognition

The regional government cooperated with authorities from the national level in order to examine the SNHP. In this position it is clear that document exchange exists among all levels of politics in Spain

before and during the implementation of the SNHP. Also in this case the use of doubtful sources is very unlikely.

When statements or activities of Aragón are considered it seems that general reasons play an important role in the case of the region, though the own purpose is of central importance, too. The autonomous community criticized the arguments on which the water transfer is based on. According to the SNHP, a water transfer would be necessary as severe droughts affect the life around the Mediterranean Sea. Aragón instead brings forward the argument that the situation of water scarcity in eastern Spain has not emerged due to the climate but rather due to water mismanagement in these regions (Boné, 2003). Although also environmental issues and the high costs of the plan are criticized Aragón regards the SNHP from a regional *frame of reference*. Central aspect of the community is the well-being and supply of its citizens. This however, is a strong notion for the altruistic benefit the regional government aims at. It is not the government that tries to profit from its engagement. Instead Las Cortes de Aragón supports its citizens and thereby aims at an abolishment of the plan.

5.3.4.3 Capacity & Power

In 2010 the available GDP for the Autonomous Community of Aragón amounts €32 854 millions (Eurostat, 2010). Compared with NGOs for instance this is a lot. Though, it is much less than the GDP of the EU or Spain. Moreover, the financial aspect is for the region not as important as for other actors since the main costs of the SNHP would have been paid by the EU and Spain.

Aragón is one of 17 recognized official autonomous communities in Spain. Today, most of the regional powers are related to water policies. The Statute of Autonomy, constituting the rights of the autonomous communities, states that in case of intervention by the Government of Spain within the territory of Aragón the former needs to balance and treat with respect the territory, the resulting costs and the character of the Community of Aragón (Government of Spain, 2007). As already outlined above, the legal possibilities of the community were restricted to act against the SNHP since the powers are distributed within the constitution.

Power attribution by other actors could not really be determined. Smaller local associations from the region around Aragón like COAGRET or PDE cooperated directly with institutions of the European Union but not with their autonomous government. Reason therefore is the comparative weak position of Aragón within the decision-making process (La Calle Marcos & Monge Lasierra, n.d.).

Table 5: Autonomous Community of Aragón

Concept	Motivation		
Indicators	Own goals and values	External pressures	Self-effectiveness assessment
Categories	Altruism	Soft nature	Preferences not realizable on their own
Concept	Cognition		
Indicators	Observations of reality	Frames of reference	Actual interpretation
Categories	Use of official government documents / own research	Regional	Altruistic benefit
Concept	Capacity & Power		
Indicators	Resources available and accessible		Attribution by others
Categories	Money No legal rights concerning SNHP		No attribution

5.4 Involvement of the actors

In this section the involvement of the actors is described. Their activities are outlined to get an idea how the single actors influenced the process of the MSNHP.

5.4.1 Governments of Spain

The Spanish People's Party led by Aznar won the elections in 1996 and promised to find a solution for the water problems of Spain, thereby criticizing the incompetence of the PSOE and its form of politics. The PP created the MIMAM, which was a newly established Ministry of Environment and started to pursue its plans. They assured that a new national plan would be developed matching the requirements of the regions in Spain with environmental friendly characteristics (Bukowski, 2007).

In 1998 the PP, in particular the then Ministry of Environment, published a White Paper that faced the problems of Spain in relation with hydrological sources. Spains' water politics were always based on the so-called traditional model. Before 1998 this model was characterized by a dependence on large infrastructure projects which were funded by the state. Due to its centralized character and an increasing involvement of the autonomous communities, also as a consequence of the membership in the European Union, the traditional water policy model was questioned. The White Paper provided recommendations for alternatives like desalination, a reduction of state subsidies or a stronger involvement of the private sector (Bukowski, 2007).

As a consequence of the White Paper a draft proposal of the SNHP was presented in September 2000. Surprisingly the content of the White Paper was not reflected in the outline of the plan. While in the document of 1998 for instance a provision to the WFD could be found, no paragraph of the SNHP draft made a reference to it. Although the plan reduced the amount of planned water transfers, still 120 reservoirs and more than 1000 kilometres of water infrastructures like canals or pipelines were suggested in the proposal. A central aspect of the plan was the marketization of water policies in Spain although some officials of the PP doubted that water markets would be a reasonable solution for Spain as they claimed that these were unable to create a balance of water resources across the country. Finally, the proposed SNHP was implemented by the PP in 2001 (Bukowski, 2007). With the victory of the PSOE in 2004 many issues of Spanish politics were modified, especially water policies were changed immediately. Zapatero said that he would abandon the water transfer project of the PP. The new government focused on desalination as central aspect of water supply and issued a new project in September, the so-called program AGUA. The idea was to construct a 'Public Water Bank' in all water basins. Moreover 21 desalination plants in six provinces on the Spanish coast should be built (Downward & Taylor, 2006). These plants should provide 60% of the annual water demand in Southern Spain. Third main aspect of the project was the establishment of a new system to calculate the real costs of water. In 2005 when the new Spanish National Hydrological Plan was approved, or MSNHP as it is called in this thesis, the AGUA project was introduced as part of this new plan (Bukowski, 2007).

What can be seen here is that the development of the plan started already in 1998 with the White Paper that was published by the PP. The then Spanish Government modified and modernized Spanish water policies and solely developed the SNHP from 2001. After the change in government in 2004 the SNHP was abandoned and was substituted by the MSNHP in 2005. While the SNHP was designed by the PP the MSNHP was a project of the PSOE. Hence a clear difference among the two governments and also among the two Spanish National Hydrological plans can be observed.

5.4.2 The European Union

The EU was in general very engaged after the implementation of the SNHP. Concerning the Structural and Cohesion Funds as well as EU legislation, the COM has always been the most active body of the EU. As already mentioned the DG Regio worked together with the Spanish officials in order to proof the validity of Spain's request for funding of the SNHP through the EU. The DG Environment with Commissioner Margot Wallström worked on the environmental liability of the plan.

Already in July 2001 the COM sent its first reaction on the SNHP. Besides positive remarks about the ambitious plan some technical questions are posed. The COM explains that so far no statements can be made about possible impacts on the environment as a result of the plan and that besides the environmental also the legal aspects will be proven by the Directorates General (DGs) in charge (DG Environment, 2001). As response to the doubts mentioned by the COM the Spanish Ministry of Environment sent an evaluation report about the environmental strategy of the SNHP to the DG Environment. There several reasons are mentioned why the plan is essential for Spain and especially for the future water supply of the country (Spanish Ministry of Environment, 2002a). Although the COM was delighted about an evaluation report of voluntary nature it had some questions concerning the document. Accordingly, the evaluation neither includes any suggestions to counteract against the possible negative impacts of the SNHP, nor provides current statistics. As only numbers until 1995 are available the calculations would be misleading and should be improved. In general the COM criticizes the incompleteness of different aspects of the plan as often no statements are made about the application or establishment of infrastructures or new water supply systems (DG Environment a, 2002). The Spanish Ministry of Environment tried to clarify the doubts raised by the COM and responded on its questions (Spanish Ministry of Environment, 2002b).

In December 2002, the DG Environment of the COM sent a dunning letter to the Spanish ministry in charge. It was mentioned that the COM received complaints by several individuals and different NGOs in reference to the SNHP. Moreover, the EP had different questions and petitions, in particular due to rising concerns of the Ebro water deviation. With emphasize the letter also mentions that the COM did not adopt any position so far, neither in favour of the SNHP nor against it. Yet, the COM was concerned about the compliance of SNHP with the following directives: the Birds Directive 79/409/EEC (Council of the European Union, 1979); the Habitats Directive 92/43/EEC (Council of the European Union, 1992) and the Public Participation Directive 85/337/EEC (Council of the European Union, 1985). In addition the COM was preoccupied that it might be difficult for Spain to comply with the WFD due to the principle of non deterioration, internal conduct of river basins and an economic analysis and recuperation of costs. Finally, the COM suggested a common meeting in Madrid due to the complexity of the project (DG Environment, 2002b).

Such a meeting took place in October 2003 where the implementation of the SNHP was further discussed. In the session, the representatives of the COM and the Spanish Government agreed that the so-called PIDE consortium, including all stakeholders, develop a plan that ensures a responsible realization of the SNHP over the next four years (European Commission, 2003). The documents of this meeting are the latest documents that are available in reference to the SNHP exchanged between the COM and the Spanish Ministry of Environment. As in 2004 Zapatero became the Prime Minister of Spain and abolished the controversial water transfer project of the Ebro, the EU was in a way relieved of its tasks.

Besides the COM, a second European institution got involved into the process of the SNHP. Several meetings were held in the EP about the plan (Wallström, 2003). During a session in Brussels on 6 March 2002, the EP adopted a resolution concerning water management systems across Europe. The work item was a tough approach on the 'European Union's Sustainable Development Strategy' in order to call the attention of the heads of state and government at the Barcelona Summit on 15 and 16 March 2002. The document mentions the concern of the EP about 'the precedent set by proposals for the development of unsustainable water management schemes across Europe'. Behind that, the EP called on the European Commission to reject any funding for this kind of water transfer ventures. However, the European Parliamentarians abolished a specific condemnation of the SNHP in this resolution as a reference to the plan was erased (United Nations, 2002).

Behind that, as reaction to the complaints received by environmental experts and NGOs the Petition's Committee of the EP requested the COM to make an examination about the compatibility of the SNHP with EU legislation (Bukowski, 2007).

The EP sent a delegation of the Committee on the Environment, Public Health and Consumer Policy in February 2003 to Spain in order to learn more about the SNHP. During their stay they visited regions around the Ebro delta and some places in the Autonomous Community of Murcia.

Discussions were held with different people involved to get information and the views of the affected inhabitants (European Parliament, 2003).

5.4.3 NGOs

Different NGOs submitted evaluation reports with mostly negative feedback on the SNHP, demonstrations were organized and their positions were clarified in different discussions or meetings with Spanish as well as European political leaders. In order to be heard and to increase their influence five leading NGOs cooperated together. They contacted the European Commission concerning the SNHP. The European Environmental Bureau, the Worldwide Fund for Nature, BirdLife International, Friends of the Earth and Greenpeace asked the European Commission to withdraw its support by rejecting the request of the Spanish Government regarding EU funding. According to the five organizations the estimated costs for the SNHP, especially for the water transfer project from the Ebro, would be much higher than denoted by Spain. What was already mentioned above and considered by the then Commissioner in charge Margot Wallström the NGOs claimed that the plan breaches EU legislation, in particular the Directives on water use and quality, conservation of birds and protection of natural habitats. Besides the critics referring to the financial and legal aspects of the plan the cooperating NGOs questioned the EU's position within the process. They argued that a support by the EU in terms of the SNHP would be in conflict with the Community's commitment for a development based on sustainability. Further criticism concerned the exclusion from the public as no consultation was offered although many people would have been affected directly or indirectly by the plan. Moreover, as also mentioned in section 5.1.1 the SNHP's wording says that the civil society should be consulted in order to include the opinions of different stakeholder into the development of the plan. Finally, according the five cooperating organizations a study that discusses the potential impact of the plan on the environment is not existent. However, this statement might be questioned as there is an environmental evaluation report from January 2002 which discusses the influence of the SNHP on the environment and sustainability (James, 2002).

Already before the implementation of the original SNHP different demonstrations and discussions were held all over Spain and beyond. While the main activities in terms of manifestations were arranged in Barcelona and Madrid patronized by hundreds of thousands of people several smaller events in Valencia, Aragón or Catalonia, in particular around the Ebro delta showed the opposition among the Spanish population (WWF European Policy Office, 2001; James, 2002; Pettifer, 2002). Behind these national actions the so-called "Blue March" was a protest against the SNHP which started in Spain but was operated also in France, Germany, the Netherlands and finally ended in Belgium. As opponents of the plan could be found all over Europe in the meanwhile the operation of a European demonstration against the SNHP was enabled. The protesters called the European Commission to object the funding of the plan due to its negative effects on the environment (James, 2002).

While almost all demonstrations were against the SNHP a few of them were also in favour of the plan. The biggest manifestation of SNHP advocacy was held in Valencia. Activists of smaller organizations opposed to the plan cooperated with each other but were also supported by leading NGOs. WWF as a relatively powerful and influencing environmental organisation all over the world operated on behalf of its Spanish department, called Adena. The NGO helped local or regional associations in order to establish protests and process claims against the SNHP (WWF, 2001). Another example is the establishment of COAGRET which was amongst others created on behalf of a suggestion by Greenpeace (COAGRET, 2005).

Esquerra Republicana de Catalunya as well as the Greens/EFA worked together in cooperation with NGOs. It might not be surprising that in particular Esquerra as a political party and the Greens/EFA as a parliamentary grouping in the EP collaborated together. Since June 2009 Esquerra forms a part of the European Free Alliance in the EP as Oriol Junqueras as a parliamentarian of Esquerra became voted into the EP (The Greens/ EFA, 2002). However, when in 2002 a meeting was arranged where several organizations were invited in order to present their point of view regarding the SNHP Esquerra was not a part of the Greens/EFA. Though, on September 18 different environmental organisations discussed about the SNHP and were supported in their views by Esquerra Republicana

de Catalunya and the Greens/EFA. Amongst these Seo/Birdlife, WWF, Ecologistas En Acción and PDE were present and indicated why the European Commission should reject the support of the SNHP by taking legal steps against the Spanish Government. According to the NGOs the plan contradicts with the principles of the Habitat Directive and the Birds Directive. In their view legal as well as technical motives exist that constitute enough reasons to take legal steps against the Spanish Government (The Greens/EFA, 2008).

5.4.4 The Autonomous Community of Aragón

From the very beginning in terms of the development of the SNHP the regional government of Aragón rejected the plan and arranged different provisions in order to stop the project. Several accusations against the Spanish parliament were submitted by Aragón's government that condemned the plan. Accordingly the SNHP is a law that impairs gravely the interests of Aragón and consists of a deficient solution for the water problems in Spain. The regional government of Aragón already charged in November 2000 the blueprint of the following SNHP. The incriminations were enforced when in 2001 the unconstitutionality of the plan was claimed by Aragón's government. Finally, Aragón also referred to the incompatibility of the SNHP with EU legislation. According to the regional government, this pace was supported of a vast majority of Aragón's inhabitants and was expressed through several protests and demonstrations (Government of Aragón, 2000). Besides these activities, the regional government tried to achieve the possibility of a referendum on 6 February 2001 for its autonomous community where the citizens of Aragón could have voted in favour or against the plan. However, immediately after the request to the administrative court Aragón's government received a rejection for this referendum on 22 February 2001 (Administrative Courts of Aragón, 2001).

5.5 Discussion

In this section it is shown which indicators can be used in order to make statements about the involvement of the actors. Some of the indicators had the same value among all actors which cannot be used in order to make conclusions. Contrary I expect indicators which differ among the actors to be decisive for their involvement.

5.5.1 Indicators that show conformity

The application of the indicators on the four main categories of actors, which represent the actors described in section 5.2 (Spanish Government, EU, NGOs and the Autonomous Community of Aragón), provides interesting results of the analysis. Eight of these indicators were applied on every actor category. Comparing the results for every actor indicate that four indicators show the same value for all of the four actors while the other four indicate large differences among them.

5.5.1.1 Own goals and values and actual interpretation

Regarding *own goals and values* and *actual interpretation* of the actors it was not possible to point out any distinctions. None of the involved actors could be considered to act out of pure self-interest which is why to all of them "altruism" was assigned as value. They pursued their goals in coordination with other people involved. The national and regional governments acted in the interest of their electorate respectively in the interest of the majority. NGOs represented the people that were passed over by the Spanish Government, fought for their rights or the protection of the environment. The EU is in general either protecting the interests of Europe as a whole or of the member states' governments.

5.5.1.2 Observation of reality

The *observation of reality* by the actors did not illustrate lots of disparities either. All of the involved stakeholders which are outlined and used in this thesis are either state-run institutions or organisations that make own research and use official government documents.

5.5.1.3 External pressures

External pressures that affect the actors were throughout of soft nature. No remedies like sanctions were disposed but the acceptance of power balances and respect of the legal framework obliged actors to maintain certain standards or to fulfil requirements. As it was doubted that no EU Directives were infringed by the SNHP the plan was examined. Furthermore, a clear hierarchy is observed concerning the SNHP. Although the Government of Spain issued the plan, the EU is still the highest body which can interfere if the plan is not in line with EU law. The high extent of cooperation between the Spanish Government and the EU also reflects these pressures of soft nature which have an impact on the development of policies. The acceptance of the EU as main powerful actor by several NGOs is another demonstration for these so-called soft external pressures. NGOs accept the legitimacy of the EU which on the one hand shows again a clear hierarchy and is a sign for soft nature but on the other hand also enables them to increase their influence.

5.5.2 Indicators that show differences

The following paragraph introduces the distinctions that could be detected. As these indicators show no consistence within the analysis they are considered as the decisive aspects among the actors concerning their involvement in the decision-making of the MSNHP.

5.5.2.1 Frames of reference

Frames of reference provide an actor with its main direction of policy-making. In the analysis for the four actor categories even five different frames could be detected. NGOs acted by the means of an environmental frame. While Aragón was considered to pursue its policies with a regional setting since its activities were aiming at the well-being of the autonomous community the EU pursued its work on behalf of a European frame of reference. Their main aim was to maintain its status and act in favour of all its member states. Within the actor category for the Spanish Government, a difference was made between the government of Aznar and the government led by Zapatero. The former was considered to act by means of an economic frame of reference while the latter acted due to political causes.

Although the frames of reference might have affected the reasons why the actors were involved it had no influence on how the actors participated.

5.5.2.2 Self-effectiveness assessment

The *self-effectiveness assessment* of the EU and the Spanish Government can be compared with each other. Both actors are in a position where they can realize their preferences. Although the Spanish Government is forced by the principles of EU law after the approval of the national parliament it has a promising initial situation. The EU only gets involved by a conflict of national and EU legislation. Whenever it comes to such a situation, what was the case with the SNHP, it holds many possibilities. Contrarily, the preferences of the NGOs and Aragón cannot be realized on their own. The NGOs cooperate together with the EU in order to carry out their plans. By convincing the EU to adopt the views of the NGOs the latter are able to see their ideas implemented. Aragón stands in a similar situation. In the development of the SNHP their preferences could not be put into practice through remedies of the autonomous community itself. It is shown that coalition approaches by weaker actors like NGOs were necessary in order to realize their aims.

5.5.2.3 Power attribution by others

Power attribution by others could only be seen at the EU in the case of the SNHP and its modification. Within the decision-making process of the plan the EU is the most powerful actor. With the COM as most involved institution the EU acts impartial which is why NGOs attribute powers to it. The EU is respected by NGOs as a powerful actor. Moreover, different NGOs are financially supported through grant programmes by the EU which explains this relationship. Yet, not only NGOs depend on funding by the EU but also the Government of Spain. For the realization of the SNHP financial support through the EU Structural and Cohesion Funds would have been necessary.

5.5.2.4 Resources available

At first glance the EU and the Spanish Government seem to be in a similar situation concerning the resources available. Both are well moneyed and assess the legal rights for involvement in the decision-making process. Yet, the Government of Spain is dependent on the EU due to external funding. Contrary NGOs and the region of Aragón indicate a lack of these resources. Both possess a certain amount of money although the NGOs are in this respect often dependent on the EU but also national governments as they receive subsidies from these. Considering legal rights both actors are in a way excluded from the decision-making process in the case of the MSNHP. While NGOs have in general no possibilities to influence political decisions with legal remedies the Autonomous Community of Aragón was not directly involved due to Article 149, paragraphs 22a and 24a of the Spanish constitution.

5.5.3 Indicators and actors

In this section two different issues are outlined. On the one hand it is indicated how the characteristics of actors shaped their involvement and their interactions with other actors. On the other hand it is illustrated how characteristics changed over time.

By means of the indicators applied it was noticed that *resources available*, *self-effectiveness assessment* and *attribution by others* were decisive. Focusing on the three indicators and the four actor constellations indicates which actor had the best prospects to influence the MSNHP.

The Spanish Government introduced the SNHP in 2001 and was therefore highly involved into the process. After the approval of the national parliament the Law 10/2001 of the 5th July implemented the National Hydrological Plan in Spain. By means of resources in terms of money and legal rights and a possibility to realize its preferences the government was able to establish a new document of legislation.

After the entrance into force of the SNHP and a change of the opinion of most stakeholders especially actors like NGOs and the autonomous communities became involved. Both kinds of actors aimed at an abolishment of the SNHP and supported a modification of it. However, they can only be considered as secondary actors since their characteristics are comparatively weak. Especially in terms of capacity & power they miss certain legal rights to influence a policy like the SNHP. While their financial capabilities are different and they are partly dependent of other actors concerning these, the financial aspect is not as important as the legal rights in this respect. Both actor constellations do not compose the legal powers to influence a plan like the SNHP on their own. The most influential remedy they could apply concerning the SNHP and the MSNHP were public campaigns in order to make people aware of problems with the SNHP. Moreover, power was neither attributed to them by other actors nor could they realize their preferences in terms of the *self-effectiveness assessment*. Therefore especially NGOs sought to cooperate with the EU. Besides the fact, that these NGOs cannot influence directly the decision-making process they receive partly subsidies from the EU what ensures their financial incomes. It is therefore logical and not surprising that a close collaboration among the NGOs and the EU could be detected. Many complaints were received by the COM from different NGOs. Hence, a delegation of the EP was sent to Spain to get an idea of the situation at the face and to improve the information exchange with local stakeholders. Moreover, political groupings of the EP like the Greens collaborated with NGOs, amongst others WWF. Only on behalf of such cooperation NGOs could see how their preferences become realized. Thereby, they were a more important stakeholder for the national government. Although no such linkages between the Community of Aragón and the EU could be found out, it is still possible that Aragón acted on behalf of Parliamentarians within the EP. The restrictions of the thesis limited more research concerning coalitions like these.

The EU was thus a representative of the weaker actors within this process. By controlling complaints and proofing the legal aspects of the SNHP the views of several NGOs were included into the development of the plan through the EU. Due to sufficient resources, attribution by others and the realization of preferences, interference of the EU could have abolished the SNHP. By confirming that

certain EU directives would have been infringed by the SNHP and by rejecting to fund the plan it would not have been possible to realize the SNHP.

When in 2004 the newly elected Prime Minister Zapatero became leader of the government he knew that the SNHP could most probably not be realized and that a modification of it was necessary. High resistance within the country itself, as seen by the position of Aragón and several NGOs but also on the European level, and doubts alluded by the European Union made a realization of the SNHP unlikely and would have been a political throwback for the PSOE. It can be argued whether the Zapatero government aimed at the MSNHP as part of a political strategy or of conviction. Somehow or other the new government abolished the SNHP and introduced the MSNHP. Opposition of several institutions and organizations played an important role, though. If the SNHP would have been supported by NGOs, the autonomous communities and especially the EU, it is very unlikely that the plan would have been abolished, too. I consider therefore the EU as most decisive actor within the process of the MSNHP as it was the most powerful actor in terms of legal rights and money.

6 Conclusion

The bachelor thesis elaborated on two water policies in Spain, namely SNHP and MSNHP, in order to make statements about the actors involved. Main aim of the study was to find out how these actors influenced the modification of the SNHP.

In the analysis I started with outlining the SNHP and the MSNHP in detail. Afterwards some of the main actors involved in influencing the MSNHP are presented. In the subsequent sections I apply different indicators that help to point out the prominent characteristics of these actors. Then the involvement of each actor is described. Finally, in the last section of the analysis the characteristics are used to explain the involvement of the actors.

After the introduction in 2001 the SNHP was criticized a lot. Different stakeholders were above all concerned about the environmental impacts of the plan. While the SNHP would have introduced horizontal measures for the water management and 889 smaller projects like the construction of several dams, a water transfer from the Ebro delta to different provinces located at the East coast in Spain was planned. The MSNHP, which came into force in 2005 as the modified SNHP, provided different measures to make the water management more sustainable and efficient. Main modification to SNHP was the abolishment of the water transfer from the Ebro and a bigger focus on desalination plants.

Actors that lobbied in particular against the SNHP were NGOs and different autonomous communities in Spain. Among the NGOs bigger organizations like WWF or Greenpeace were involved but also local or regional associations in Spain were engaged in the issue. While I considered NGOs and Autonomous Communities as secondary actors within the decision-making process, the Spanish Government and the EU were main actors. Moreover, a difference is made between the legislative periods of 2000 – 2004 and 2004 – 2008. During the first period, the national government in Spain was led by the political party PP and its leader Aznar, whereas the latter legislative period was ruled by Zapatero and his PSOE. For the development of the SNHP and its modification this change in government was very decisive, as well.

Subsequently the characteristics and the involvement of these actors were outlined. The statements I make about the hierarchy of the actors could only be conveyed by answering the fourth sub-research question. Especially the indicators *self-effectiveness assessment*, *resources available* and *power attribution by others* emerged as central and most important aspects.

Finally, it is predicated how the decisions regarding the MSNHP were made. Although I conclude that most decisive for the modification of the SNHP was the change of the Spanish Government in 2004 all actors are considered to have an influence on the modification. Without their engagement the probability for a change of the plan was unlikely. While NGOs and Aragón expressed their objection to the SNHP, the institutions of the EU remained impartial. However, they made remarks about the environmental compatibility of the plan and questioned the legal nature of the SNHP. A rejection in the own country and opposition by several NGOs as well as doubts about the legal agreement

between the plan and EU law by the COM are strong influences that supported a modification of the SNHP. Since the EU received positive values for all of the three most important indicators I consider it as the most influential and significant actor within the MSNHP process, and thereby also as the decisive actor.

Actors having more resources available like the Government of Spain or the EU were rather able to realize their preferences while actors like NGOs or Aragón that had a lack of these resources were provided with a lower *self-effectiveness assessment*. As only four actor categories were applied, though, it would be too unreliable to draw general conclusions about a relationship between resources available and the self-effectiveness assessment. It is a possible tendency that was discovered but a follow-up study would be necessary to confirm this relationship.

Moreover, the results of the bachelor thesis confirm the CIT approach of Bressers, at least partly. According to the theory, *resources available* and *power attribution* stand in a direct relationship. In the case of the MSNHP it is shown that the EU, as an actor with excessive resources available was attributed with power by others. As an impartial and powerful actor within the process the EU was very attractive for the weaker actors as its activities could still be influenced after the implementation of the SNHP. Therefore NGOs sought for the support of the EU and tried to make them aware of the problems with the SNHP through public campaigns. Contrary, the Government of Spain was not willing to influence the EU but aimed at financial support. Their main aim was to show that the SNHP was not in conflict with EU law, thereby allowing them to be financed by the EU Structural and Cohesion Funds.

The research provides reliable results and outlines the actors that had an impact on the outcome of the MSNHP. However, a selection of the actors had to be made as the thesis is limited in terms of size and time. Another limitation that needed to be made for the same reason was the restriction of the values for the indicator *resources available*. It was not possible to make a study in such a short time frame where more than two resources were investigated. As the financial situation and especially the legal aspect seemed as decisive in the case of the SNHP and MSNHOP these two values were brought into focus.

In addition it would have been desirable to make a specific actor analysis for the research. Without the necessity to create an actor constellation, the Aznar government and the Zapatero government could have been considered as two separate actors. Moreover, the EU would not have been analyzed as one institution but the COM, the EP and the two concerned DGs (Regio and Environment) could all be examined as separate actors. Also among the NGOs a difference could have been made between the international, European, national, regional and local NGOS. Finally, not only one autonomous community could have been included into the research but several ones which would have provided an even broader overview about the extent of actors involved.

The guidelines for the bachelor thesis made therefore an analysis without actor constellations impossible. The limitations are not only existent in terms of time but also in terms of size. Although the actor constellations do not allow analyzing every actor on its own, they indicate a clear result about the involvement of the actors and provide information about the most influential actor category. Another problem that came up due to the limitations was the degree of coalitions among the actors that could be assessed. It could be discovered that NGOs tried to align themselves with the EU or that bigger NGOs collaborated to increase their power. Research was necessary in order to find out such cooperation among the actors. I assume that much more coalitions like these could be detected if enough time is available. As a follow-up study it could therefore be interesting to examine further coalitions between the actors.

Analyzing the SNHP and the MSNHP with its actors involved provided me with lots of insight about the two policies. The thesis illustrates how actors achieved to influence the outcome. Although the Spanish Government disposes the best position to develop a plan like the SNHP or MSNHP in this case the EU was the most decisive actor.

7 References

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