

WRITTEN QUESTION P-2776/03
by Hans Kronberger (NI)
to the Commission

Subject: Conflict between the objectives of Directive 2001/77/EC on renewable energy and the implementation of the EU Water Framework Directive in Austria

In Austria, small hydroelectric power plants are a vital source of energy, supplying 8% of the electricity market. They generate electricity cheaply and are environmentally benign, as they do not emit any pollutants or consume any materials. Consequently, small-scale hydroelectric power makes a substantial contribution to the attainment of the Kyoto objectives and of the objectives set forth in Directive 2001/77/EC¹ on renewable energy.

The implementation of the EU Water Framework Directive in Austria will significantly hamper the operation of the plants and further expansion and investment in this sector. The Water Framework Directive will restrict opportunities for small hydroelectric power plants to operate because it introduces new requirements concerning residual water. The Directive abolishes the fundamental right to use water as an energy source, so that procedural operators may at any time encroach upon existing water rights. Moreover, there is no provision to enable hydroelectric power plant operators to participate in the drafting of national water plans in order to defend their interests.

1. Does the Commission agree that the implementation of the Water Framework Directive in Austria will make it significantly more difficult to attain the Kyoto objectives there and the objectives set forth in the directive on renewable energy?
2. Does the Commission agree that, in the case of the conflict between the Water Framework Directive and the directive on renewable energy, the respective public interests need to be weighed up and that under certain circumstances the interest in maintaining water in a 'good' or 'very good' condition should be subordinated to climate protection and promotion of renewable energy?
3. What will the Commission do to enable a decision to be arrived at where the Water Framework Directive and the directive on renewable energy conflict?
4. What will the Commission do to eliminate at legislative level the conflicts between the two directives to which attention has been drawn here?
5. What relevant measures is the Commission aware of in other Member States?

¹ OJ L 11, 16.1.2001, p. 14.