

## TRANSBOUNDARY RIVER CONTRACT SEMOIS-SEMOY BETWEEN BELGIUM (WALLONIA) AND FRANCE

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**Abstract.** Through dialogues between partners, a river contract intends to develop and restore the multiple functions and uses of water in answer to the needs of a community of users. Under this scheme, both government and private-sector players commit themselves by means of a contract to implement a consensus action programme to restore the river and its drainage basin's water resources. Information and awareness campaigns are added to concrete actions of waterway development and different sorts of work connected to water. The river committee is a place for democratic speech where the familiar rubs shoulders with the institutional, where citizens meet operators, where the life forces of society are finally brought together to take charge of their river's future and their relationship with the river. In this way, a joint project has been bringing together Belgian and French protagonists since 1999, through the Interreg II and Interreg III operational programmes. They work now together in a joint management of the river and its tributaries, this time on the scale of the entire Semois-Semoy hydrographical subdrainage basin. This article describes the concept and the methodology of this concrete transboundary collaboration, the results and the perspectives.

**Keywords:** river contract; drainage basin; participative management tool; stakeholders; action programme; local level; transboundary project Interreg III

### 1. Introduction

Belgian Semois and French Semoy Two different names for a same river, and for a same drainage basin subject to a joint management approach, referred to

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as the River Contract. This participative management tool in the area of water leads to the implementation of an action programme, at local level, geared to restoring watercourses and water resources with reference to the guidelines defined by the river users of the two countries. Various fields of intervention are concerned, such as water quality, development and management of watercourses, economic activities, tourism and leisure, enhancement of heritage, etc.

The originality of the method is certainly the extensive consultation among players involved, the decision-making process based on the search for consensus and, lastly, the means used to organise expertise. By enlarging the partnership from one country to another, this overall management approach focused on the drainage basin offers a space of upstream and downstream co-operation and dialogue. It is also a new way of communicating, informing and raising awareness among inhabitants and stakeholders within the same drainage basin.

For five years, the innovative character of the Semois/Semois Transboundary River Contract has been instrumental in mapping out channels of possible collaboration at the service of Community water policy within Europe of the Regions.

## 2. Case Study Description and the Decisional Problem

### 2.1. FROM SECTORAL MANAGEMENT TO A PARTICIPATIVE APPROACH

In Belgium, it is worth recalling that one of the outcomes of the country's devolution is that water policy was entrusted to the three Regions, namely Wallonia or the Walloon Region, Flanders or the Flemish Region and the Brussels-Capital Region. Only Wallonia, the instigator of the project presented herein, is concerned. In the Walloon Region, a sectoral approach permeated water management for a long time. That sectorisation could be explained by a fragmentary legislative and administrative approach specific to each sector. The result of that was highly compartmentalized, use-focused management organized in a channel structure along technical and administrative management lines.

New demands have arisen in that context over the last ten years. Those demands, expressed by various players in the water management field but also by the stakeholders of civil society, revealed a need to break with the conventional management method. Two of those new demands further consolidated the desire for a concerted approach:

- on the one hand, the increase in the functions and uses of water, especially in the recreational sector, leads to increased pressure on resources by creating user conflicts;
- on the other hand, the population is increasingly sensitive to the various problems connected with water quality and environmental protection. This

awareness leads users and civil society to demand that they participate in water-resource decision making.

Furthermore, this trend towards participative management in the environmental field has been strengthened by recognition at the highest level of the international community. We need only recall principle 10 of the RIO declaration: "Environmental issues are best handled with participation of all concerned citizens, at the relevant level". According to Duran (1999, quoted by Allain, 2001), "participative management developed to meet shortcomings in methods of traditional political regulation and in a new conception of public action in terms of collective action". River contracts find their source in this context at both international and local level.

### 2.2. THE RIVER CONTRACT, *MODUS OPERANDI*

The scenario of a river contract is simple and complex at one and the same time: to bring together all the partners concerned by the river around a same table with a view to restoring the river. This transversal and multidisciplinary approach integrates all the problems connected with water resources and aquatic environments in areas as varied as the qualitative and quantitative aspects of water, hydraulic aspects, town and country planning, nature protection, economic activities, heritage, etc. Beyond the defining of management objectives and guidelines, the contract involves a programme of concrete actions which benefit from the ongoing contribution of local expertise. These accomplishments are implemented by permanently mobilizing local players in a framework of concerted action and consensus decision making. These operating conditions are actually the strong point of the River Contract, which should firstly be understood as a participative approach at local level.

Representatives of the public and private players involved in this project are brought together within a river committee, considered as a space of meeting, dialogue and expression open to everyone. This committee is composed of 80 members representing local authorities, administrations, users and NGOs.

River contracts were initiated in France 10 years earlier than in Wallonia. From 1981, a ministerial circular established the French river contract model. That took over from the "Clean Rivers" contract operations. At the outset, they were presented as instruments for drawing up Departmental maps of quality objectives and increasingly evolved to take the environment and uses into account.

In Wallonia, the first river contract experiences, inspired by the French approach, developed at the beginning of the nineties. In 1993, institutional recognition, in the form of a first ministerial circular relating to the conditions of acceptability and the procedures for drawing up river contracts, introduces

this type of management as a new instrument of implementation of water policy in the Walloon Region.

If the river contract is recognized both in France and in Wallonia as a concerted management tool and the expression of local dynamics in the water sphere, its application differs appreciable from one country to the next (see Figure 1). In both cases, this approach calls for voluntary contractual processes and is situated parallel to already existing management procedures rather than as a replacement for them.

Characteristics	France	Wallonia
Legal basis	Ministerial circular (1981) confirmed by the Water Act, dated 1992 Ministerial circular (1993) Ministerial circular (1994)	Ministerial circular (1993) confirmed by New ministerial circular (2001)
Principles	Intervention tool unites actions in favour of overall river management	Guideline and intervention tool and memorandum of understanding on objectives expressed in an action programme
Methodology	Co-ordinated management among various public managers	Concerted management among all users and administrations
Practice of consensus building	Timid, apart from institutional players	Extended to users, associations, and riverside residents
Type of approach	Voluntary	Voluntary with moral commitment Non-restricting
Co-ordination	Not planned at the outset but often implemented	Planned funded by public partners
Procedure	Approval summary dossier Prefectorial Decree by the River Committee Approval final dossier by the Ministry of the Env. Signature and implementation	Preparatory dossier Study agreement Setting up the River committee and preparation of the draft contract Approval by the River committee Signature and implementation
Planned duration	Development: 2 to 3 years Application: 5 years	Development: 3 years Application: per 3-year period (max: 12 years)
Status of the underlying structure	Steering committee: Intercommunal structure that assumes project ownership	River committee: consultation body does not assume project ownership
Source of funding in the implementation of actions	Public co-financing programme: fruit of a financial arrangement between the various institutional levels and the Water Agency	Each partner signatory to the contract assumes the funding of the actions concerning it
Management unit	subdrainage basin, portion of subdrainage basin, embayment	subdrainage basin
Integration with other management tools	SAGE (SDAGE) in connection with the Water Framework Directive	Subdrainage basin plan (end 2005) in connection with the Water Framework Directive
Involvement of local authorities	Generally strong through an intercommunal structure	Variable according to the extent of their commitment in the study and monitoring agreement
Involvement of users and associations	Poor	Generally strong (variable from one contract to another)
Progress	Approximately 120, including 31 completed contracts	15 River contracts at various stages of completion

Figure 1. Some elements of comparison between France and Wallonia concerning the river contract approach

Concerning the Semois transboundary subdrainage basin, the first River contract was implemented on the Walloon side in 1996, after a 3-year preparatory phase. A few years later, the partners of the French Semoy mobilized within the framework of a European cross-border cooperation programme.

In this way, a joint project has been bringing together Belgian and French protagonists, since 1999, so as to work together in a joint management of the river and its tributaries, this time on the scale of the entire Semois-Semoy hydrographical subdrainage basin (see Figure 2).

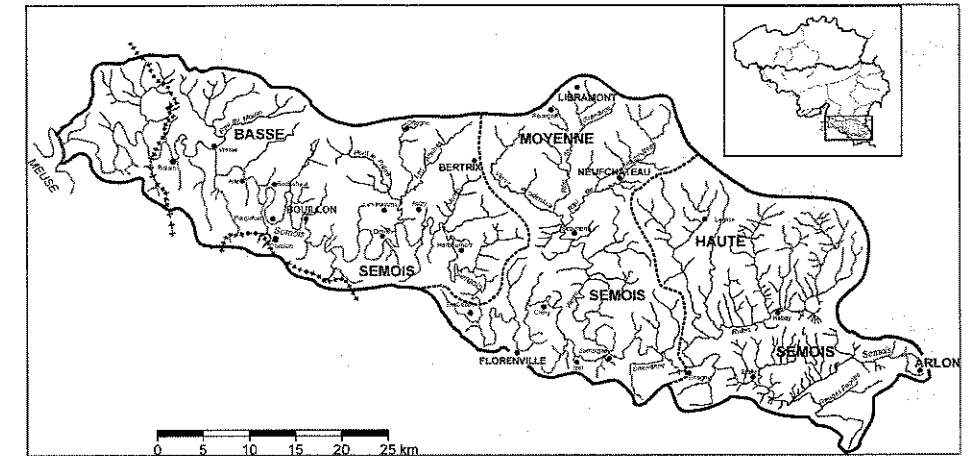


Figure 2. Concise presentation of the Semois-Semoy transboundary basin

#### Some features:

Source: Arlon, town with 24,000 inhabitants located in southern Belgium

Confluence with the Meuse: Monthermé, France

Length of the watercourse: 210 km

Average flow: 30 m<sup>3</sup>/sec

Area of the drainage basin : 1,329 km<sup>2</sup>

Population : 75,000 residents

Pollution load: 125,000 EH

Main economic activities: farming (livestock), forestry, tourism, recreational activities, small family businesses in Wallonia, metallurgical industrial activities in France

### 3. Methods and Results

#### 3.1. THE EUROPEAN INTERREG II AND III PROGRAMMES AT THE SERVICE OF CROSS-BORDER EXPERIENCE

The two river contracts, at different stages however, were able to be associated for the first time in a cross-border project through the INTERREG II Wallonia/Champagne-Ardenne operational programme. The objective sought through that first experience was to bring the Belgian and French experiences closer together in the implementation of a programme of joint actions. That programme was spread over a period of three years (1999-2001), corresponding on the Walloon side to the application of the first contract signed in 1996 and, on the French side, to the drawing up of the final dossier completed at the end of 2001. The transboundary contract was signed in September 2002. It contained a Walloon part (corresponding to a second action programme) and a French part (the first Semoy contract).

As a result of the success of Interreg II, the experience was renewed within the framework of the following programme, INTERREG III France – Wallonia – Flanders, covering the 2003-2005 period. That new commitment led to a series of joint actions to be included in the river contracts and they are currently being implemented.

On the Walloon side, the *Fondation Universitaire Luxembourgeoise* (Luxembourg University Foundation) (now integrated into the Department of Environmental Science and Management of the University of Liège,) is in charge of co-ordinating that project. It is accompanied in the implementation of the actions by various local players (associations, tourism entities, municipalities, etc.). On the French side, the operator is the *Communauté de communes de Meuse et Semoy*, an intermunicipal structure grouping several municipalities.

The meeting of the two parties takes place through a transboundary support committee, which is required to draw up half-yearly reports on the progress of the programme. Specific work groups were set up according to the actions to be developed and those groups regularly associate French and Walloon partners.

Lastly, this action programme is partly funded by the European Community through the ERDF/FEDER (European Regional Development Fund), by the French authorities (State, Region, Department, Water Agency and Local Authorities) and the Walloon Region (Municipalities, Ministry of the Walloon Region, Walloon Ministry of Infrastructure and Public Works).

#### 3.2. RESULTS

The action programme forming part of that transboundary project concerned concrete accomplishments in particular, carried out on both sides of the border. As examples, we can mention ecological developments of watercourses, the creation of spawning grounds, the restoration of old dams, landscape enhancement, secondary valleys restorations, educational activities, activities to enhance tourist appeal, development of leisure fishing and the drawing up of a fish breeding management plan and the publication of a Semois/Semoy transboundary periodical in the form of a partner's liaison newsletter.

All those accomplishments are the expression of the pragmatic side of the approach and form the best evidence of the high profile given to the project. Besides the work and the activities carried out, this experience relies on an ongoing exchange of know-how involving various methodologies and thematic approaches between the two countries. It enables the expansion of a network of co-operation together with a rapprochement between administrative or field players. In the end, this project aims to develop lifelong drainage basin solidarity through integrated and consistent upstream/downstream solidarity and the development of a feeling of belonging to a same entity. Furthermore, the rapprochement of the two parties is financially interesting through the sharing of costs for joint actions (studies, production of brochures, etc.), which makes it possible to consolidate the information and awareness-raising aspects in particular.

### 4. Conclusions and Future Developments

This contractual method of water management is meeting with increasing success among users and local authorities. This river contract experience shows that its application can be extended to the management of transboundary sub-drainage basins while offering an organisational framework for water resources.

In actual fact, the transboundary dimension of water management is increasingly a national policy issue. Is it not true to say that the territory of the European Union is divided into a majority of international river basins? Many international commissions have been set up at river level. Furthermore, Article 13 of the Directive 2000/60/EEC from the European Parliament and Council, setting out a framework for Community water management policy, lays down that Member States shall endeavour to produce a single river basin management plan for an international river basin district. That same Article states that river basin management plans may be supplemented by management plans for sub-basins. Why not therefore produce transboundary sub-basin plans?

The concrete expression of the new European water policy can only be strengthened by initiatives at sub-basin level complementing and interconnecting

international programmes at river basin level. Should not the Semois-Semoy experience presented herein be seen as an invitation to declare that European water policy will also be formed at local level?

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