1. Guiding Questionnaire for Part I (A, B, C, D) of the Book: Forms of States and Environmental Protection

- Is environmental protection a goal/principle included in the Constitution?
- How does the Constitution formally allocate responsibility for environmental regulation among the subnational units (States, Regions, Cantons, Länder, Provinces) and the centre?
- Which level of government is responsible for the various dimensions of environmental rule making?
- Are legislative/administrative powers in the environmental sector shared by different institutional actors at different government levels? Please provide a short overview of the constitutional allocation of powers/competences in the environmental field.
- Do institutional actors cooperate or compete in the environmental field?
- What are the (formal/informal) modes and procedures of cooperation/coordination among the institutional actors?
- Looking at the constitutional framework, is the environmental sector prone to institutional conflict? Please consider horizontal (same level) and vertical top/down and vice versa (between levels)
- Do conflicts exist among national, regional and local levels in managing and protecting natural resources? If yes, what kind? Are they dealt with by judicial bodies or settled through alternative procedures?
- (For EU Member/potential/candidate Member States): Do the EU legislative and policy instruments enhance cooperation among national actors in charge of environmental protection? Or do they increase conflicts?
- Are the inter-institutional conflicts decreasing/increasing in the environmental field as compared with the past? What are/may be the cause(s)?
- What is the role of the Constitutional/Supreme Court? Is the case law overall favouring the centre or the periphery?
- To what extent does the interpretative role of the Constitutional/Supreme Court affect the allocation of legislative/administrative powers and the overcoming of conflicts with regard to environmental protection?
- In your opinion, does the Constitutional/Supreme Court play a policy/lawmaker role or merely an interpretative one in the environmental field?
- What are the enforcement mechanisms serving environmental law?
- What are the shortcomings in implementing and enforcing environmental legislation?
- Do any forms of public involvement contribute to the formulation of environmental policy and legislation at different territorial levels?
- Is public participation in decision-making (where provided) actually effective or simply symbolic?
- Rules of standing: are individuals and public interest groups legitimated to litigate on behalf of the environment? Are citizen suits a part of the enforcement mechanism serving environmental law?
- Highlight trends and provide examples and case law.
- Recalling the principles the EU White Book on Governance proposed as principles of good governance, (i.e. openness, participation, accountability, effectiveness and coherence) try to evaluate a current national situation with regard to environmental protection, highlighting the present limits and challenges of the institutional setting.
- Does the national (multi-level/unitary) institutional setting analysed enhance or prevent an effective environmental policy/law formulation and implementation?
- Does a tendency toward decentralization/centralization exist with regard to environmental protection? How is this taking place (legislation, administration, case-law, other sources)?


- In which legislative act are roles and responsibilities for water management and protection defined?
- Are responsibilities for water management and protection clearly identified and divided at different levels of government?
- Looking at the constitutional/legislative framework, is the water sector prone to institutional conflict? Please consider horizontal (same level) and vertical top/down and vice versa (between levels).