

Frequently Asked Questions

What is this application about?

Austria meets almost all of its drinking water needs from groundwater and spring water. But how much of it is actually abstracted is not fully recorded, and there are no binding rules for drought periods. CLAW and ÖKOBÜRO are calling on the Environment Ministry to record actual abstractions and to protect groundwater effectively.

What exactly are CLAW and ÖKOBÜRO asking for?

Four things. First, ongoing, publicly accessible recording of actual abstractions, including the significant abstractions that currently require no permit. Second, a review of existing water rights, to see whether the often decades-old maximum volumes still match actual demand. Third, a binding, nationwide emergency plan for drought periods, with priority for drinking water. Fourth, full implementation of the groundwater obligations under EU law, through binding regulations.

Isn't there already a water abstraction register?

The Ministry is working on it. What is planned is, above all, a reporting obligation for larger abstractions above certain thresholds. According to the Ministry, the register serves mainly for planning and analysis. That is useful, but not enough. What matters is whether the significant smaller abstractions, which add up, are also captured, whether the data is public, and whether protection actually follows from the data. A register on its own replaces neither binding rules for times of scarcity nor the review of existing permits.

What is the legal basis for the application?

The central basis is the EU Water Framework Directive. Since 2000, it has required Austria to monitor the state of groundwater, to prevent deterioration and to control abstractions, including keeping a register of abstractions. These obligations apply at all times, not only during drought.

Without reliable data on how much is actually abstracted, these obligations cannot be met. If you do not know real consumption, you cannot effectively manage the state of groundwater. The application therefore asks the Ministry to implement these obligations in full and through binding regulations. The application sets the goal; the Ministry chooses how to get there.

One clarification: EU law does not require every last small abstraction to be counted individually. What must be recorded are the significant abstractions. That is where the weight lies, and that is where the data is missing today.

Is this a lawsuit against Austria?

No. CLAW and ÖKOBÜRO have filed an application with the Ministry, asking it to issue the necessary rules. If the Ministry does not respond, or responds negatively, the two organisations can request a formal, appealable decision and challenge it before the Administrative Court. The application is therefore the first step in a possible legal process.

Are CLAW and ÖKOBÜRO even allowed to do this?

Yes. Both are recognised environmental organisations. This status gives them the right to file applications in environmental matters and to have administrative decisions reviewed by a court. It is grounded in the Aarhus Convention and in EU law. That is exactly what it is meant for.

What does this have to do with the climate crisis?

The climate crisis affects Austria's water balance too. Higher temperatures cause more water to evaporate, and evaporation has risen markedly since 1980. Drier springs make the situation worse. Spring 2026, with 47 percent less precipitation, was particularly dry. Studies project that available groundwater resources will decline noticeably by 2050, while demand grows. The scarcer water becomes, the more important it is to know actual consumption and to have clear rules for how it is shared.

Is this about taking water away from farming?

No. It is about knowledge and fair rules. How much groundwater each user takes should be transparent, in industry, in farming and everywhere else. Agricultural abstractions in particular can add up within a region, yet they are often not recorded today. And farming in particular is hit hard by drought and has its own interest in reliable rules it can count on when water is scarce.

What happens if the Ministry does not respond?

Then CLAW and ÖKOBÜRO can request a formal, appealable decision and take the matter to the Administrative Court. That allows a court to clarify whether Austria is meeting its groundwater obligations.

Why is CLAW doing this together with ÖKOBÜRO?

On groundwater, the two complement each other. CLAW brings strategic litigation experience, ÖKOBÜRO its long-standing expertise in environmental law. Both are recognised environmental organisations and act here as applicants in their own right. That sets this case apart from the Müllner case before the European Court of Human Rights, where Michaela Krömer represents an individual.

How can I support this?

Strategic proceedings are often demanding and need reliable backing. By becoming a supporting member, you help CLAW prepare such cases and see them through. Find out more at climatelaw.at.