

Framework for Community action in the field of water policy. Water Framework Directive

1997/0067(COD) - 22/03/2007 - Follow-up document

This Communication summarises the first report on progress with implementation of the Water Framework Directive (2000/60/EC – WFD). It also makes recommendations for the next important milestone: the river basin management plans. These plans, which are due by December 2009, will bring further real improvements for the whole water system in the form of programmes of measures, which must be operational by 2012 and deliver the environmental objectives of the Directive by 2015.

Reports from the Member States on their initial obligations under the Water Framework Directive show some encouraging results, although there are major shortcomings in some areas. There is still time to remedy the gaps before 2010, when the first river basin management plans have to be adopted.

The poor transposition and the lack of economic analysis are the biggest gaps in WFD implementation so far. While international cooperation needs to be enhanced in many cases, significant improvements have been observed in some regions, such as the Danube.

Further progress is needed in areas such as:

1) Recommendations to the Member States: Member States have to complete the first river basin management plans by the end of 2009, and they have to put a water pricing policy in place in 2010. Learning from experience with implementation to date, there is still ample time to improve the situation and close gaps on data. Moreover, the obligation to inform and consult the public when preparing the management plans will require more transparency and justification on what measures are necessary and cost-effective, and what exemptions can be justified. The Commission therefore urges the Member States to focus especially on the following three areas:

- **Overcoming the current shortcomings:** Member States are encouraged to: (i) fully implement other relevant EU legislation, in particular on urban wastewater and nitrates; (ii) put in place all the economic instruments required by the Directive (pricing, recovery of costs of water services, environment and resource costs, and the polluter pays principle). Full exploitation of these economic instruments will contribute to truly sustainable water management; (iii) put in place a comprehensive national ecological assessment and classification system as the basis for implementing the Directive and meeting its “good ecological status” objective. The deficiencies of the current intercalibration exercise must be remedied as soon as possible. Only complete, robust and reliable ecological assessment will generate faith in the WFD and ensure its credibility; (iv) improve the methodologies and approaches on some key issues (such as designation of heavily modified water bodies, criteria for assessing risk or addressing groundwater quantitative status) and enhance comparability between the Member States, in particular in international river basins; (v) considerably reduce the existing data gaps and shortcomings of the analysis as part of preparation of the river basin management plans;
- **Integrating sustainable water management into other policy areas:** Member States are encouraged to: (i) make sure that infrastructure and sustainable human development projects undergo an appropriate environmental impact assessment; (ii) ensure the allocation of the appropriate funding. To reach this objective, it is important to make the best use of the potential of national funds and EU financing instruments, such as the Common Agricultural Policy and the Cohesion Policy;

- **Making the best use of public participation:** public participation should be seen as an opportunity. The ongoing work on voluntary reporting and the Water Information System for Europe will assist in informing the public in a transparent way.

2) Commission actions: it is clear that the Member States still have an ambitious and challenging task ahead if they are to make WFD implementation successful. The Commission realises that it has an important role to play. In this respect, the Commission is planning the following actions, which are in line with the WFD and, in some cases, have a wide-reaching aim.

- **Action 1: Renewing the partnership with the Member States:** the Commission is committed to continuing the successful cooperation under the Common Implementation Strategy. This joint work programme together with the Member States and other countries, and with the involvement of stakeholders and NGOs, promotes common understanding, best practice and information exchange on some of the key issues. The Commission is convinced that this approach has already delivered better results than a more formalistic approach to implementation. However, if it should become evident that it is likely to fail, the Commission will not hesitate to use its powers under the Treaty. In addition, the Commission will continue helping the EU-12 Member States to implement EU water policy and being involved in international river conventions;
- **Action 2: Ensuring integration into other EU policies:** considerable progress has already been made in integrating water policy into other EU policy areas, in particular agriculture, energy, transport, research, external relations and regional development. The joint and open discussions between the different competent authorities at EU and Member State level involving all relevant stakeholders and NGOs have produced valuable results and conclusions. The Commission is committed to continuing its leadership role in this area by exploring further ways of strengthening the integration of water-related considerations into other EU policies and legislation. The aim is to make other policy areas contribute even more effectively to protecting the water environment and achieving the objectives of the WFD, the Flood Risk Management Directive and other Community water legislation. There is a window of opportunity in the upcoming discussions on the future of the Common Agriculture Policy of further integrating water policy and agricultural policy. On cohesion policy, the Commission will continue efforts to ensure that assistance from the Funds is consistent with water policy. Transport (navigation) and energy (hydropower) policies will continue to be implemented in a way that reduces negative impacts on the aquatic environment. Moreover, implementation of the Seventh Framework Programme for Research will need to maintain a water focus;
- **Action 3: Promoting the use of economic instruments:** the Commission will make the use of economic instruments a priority in the context of implementation and stimulate further exchanges of information with and between Member States on best practices, including more use of the existing guidance documents. Moreover, the Commission is also looking at promoting benchmarking between water operators;
- **Action 4: Addressing climate change in water management:** climate change impacts, including increased flooding and droughts, could enhance the risk of non-attainment of the objectives of the WFD. The increased risk on extreme events is partly addressed by the proposal for a Directive on floods. The results of an in-depth analysis on water scarcity and droughts will be included in a Communication planned for mid-2007. The Commission will also encourage full use to be made of existing possibilities for including climate change into river basin management plans, and will encourage further integration of climate change, mitigation and adaptation strategies, into the implementation of EU water policy;
- **Action 5: Setting up an ambitious Water Information System for Europe (WISE):** the Commission and the European Environment Agency are committed to developing WISE by 2010. WISE will serve as the focus for wider efforts to modernise and streamline the collection and dissemination of information for European water policy. It is an integral part of wider initiatives such as the Shared Environmental Information System (SEIS) and INSPIRE.

In conclusion, this first report on the implementation of the WFD illustrates that we have made significant steps forward 'Towards Sustainable Water Management in the European Union'. Together with the water-related directives that are still under negotiation, the WFD provides all the tools needed to achieve truly sustainable water management in the EU for years to come. However, there is still a long and challenging road ahead for Member States to implement these tools in the best possible way. Member States have to deploy considerable efforts to achieve this.