



WATER PROTECTION AND MANAGEMENT

Water is essential for human, animal and plant life and is an indispensable resource for the economy. Its protection and management transcend national boundaries. EU water legislation was transformed with the adoption in 2000 of the Water Framework Directive (WFD), which introduced a holistic approach for the management and protection of surface waters and groundwater based on river basins. The WFD is supplemented by international agreements and legislation relating to water quantity, quality and pollution.

LEGAL BASIS

Articles 191 to 193 of the Treaty on the Functioning of the European Union (TFEU).

ACHIEVEMENTS

A. Water Framework Directive (WFD)

With the adoption of the WFD ([2000/60/EC](#)), European water policy has undergone a process of restructuring. The WFD establishes a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater, in order to prevent and reduce pollution, promote sustainable water use, protect the aquatic environment, improve the status of aquatic ecosystems and mitigate the effects of floods and droughts. Except for specific derogations, good environmental status for all waters is to be achieved through River Basin Management Plans. Four implementation reports published to date ([COM\(2007\)0128](#), [COM\(2009\)0156](#), [COM\(2012\)0670](#) and [COM\(2015\)0120](#)) indicate that while significant progress towards this objective has been made, its ultimate success will depend on the ambition of Member States and the sound implementation of their 2015 plans in a way that is measurable. In 2007 the Commission launched WISE (the Water Information System for Europe), an instrument for the collection and exchange of data and information at EU level and for the monitoring of pollutants released to surface waters or within the aquatic environment.

However, obstacles still remain to the better protection of Europe's water resources. These are identified in the Commission communication of 18 July 2007 entitled 'Addressing the challenge of water scarcity and droughts in the EU' ([COM\(2007\)0414](#)). In 2012 the Commission launched the Blueprint to Safeguard Europe's Water Resources ([COM\(2012\)0673](#)), which aimed at ensuring the availability of a sufficient level of quality water for all legitimate uses by better implementing current EU water policy, integrating water policy objectives into other policy areas, and filling gaps in the current framework. Concerning this last point, the Water Blueprint envisages the establishment by the Member States of water accounts and water efficiency targets, as well as the development of EU standards for water reuse.

1. Groundwater. As groundwater supplies 75% of the EU's drinking water, pollution from industry, waste dumps and agriculture poses a serious health risk. The WFD contributes to the protection of groundwater from all forms of contamination and provides for

the establishment of groundwater monitoring networks. Directive 2006/118/EC on the protection of groundwater provides for specific criteria for the assessment of good chemical status, the identification of significant and sustained upward trends, and the definition of starting points for trend reversals. All pollutant limits, however, with the exception of nitrates and pesticides, for which the limits are set by specific EU legislation, are set by the Member States.

2. Drinking water. [Council Directive 98/83/EC](#) defines essential quality standards for water intended for human consumption. It requires Member States regularly to monitor the quality of water intended for human consumption by using a ‘sampling points’ method. Member States can include additional requirements specific to their territory but only if this leads to setting higher standards. The directive also requires the provision of regular information to consumers. Furthermore, the quality of drinking water has to be reported to the Commission every three years. In 2013 [Council Directive 2013/51/Euratom](#) was adopted, laying down public health requirements with regard to radioactive substances in water intended for human consumption, in order to bring the existing provisions into line with the Euratom Treaty.
3. Bathing water. In February 2006 the Commission adopted [Directive 2006/7/EC](#) (the Bathing Water Directive), which aims to enhance public health and environmental protection by laying down provisions for the monitoring and classification (in four categories) of bathing water, and is integrated into the WFD. It also provides for extensive public information and, as a consequence, in 2011 the Commission adopted a decision establishing a symbol for information to the public on bathing water classification and any bathing prohibition ([2011/321/EU](#)). A summary report on the quality of bathing water is published annually by the Commission and the European Environment Agency (EEA).
4. Urban waste water treatment (UWWT). [Directive 91/271/EEC](#) (as amended by [Directive 98/15/EC](#)) on urban waste water treatment (the UWWT Directive) aims to protect the environment from the adverse effects of urban waste water discharges and discharges from industry. The directive sets minimum standards and timetables for the collection, treatment and discharge of urban waste water, introduces controls on the disposal of sewage sludge, and requires the dumping of sewage sludge at sea to be phased out. The eighth implementation report on the UWWT Directive in 2016 concluded that high compliance rates have been reached in the EU-15. In the case of the EU-13, significant compliance gaps still exist, especially with regard to treatment. Reinforced action and investments are needed to reach full compliance within a reasonable timeframe. The Seventh Environment Action Programme and the Blueprint to Safeguard Europe’s Water Resources underline the importance of collecting and treating urban waste water.
5. Strategies against the chemical pollution of surface waters. Legislation from the 1970s and 1980s providing for measures against the chemical pollution of surface waters expired at the end of 2012 and was replaced by the provisions of the WFD. These mainly required the establishment of a list of priority substances presenting a significant risk to or via the aquatic environment at EU level, together with a subset of priority hazardous substances. [Directive 2008/105/EC](#) (the Environmental Quality Standards Directive), replacing Commission Decision 2455/2001/EC, established limits on concentrations of 33 priority substances and 8 other pollutants in surface waters. Amending Directive 2013/39/EU added 12 new substances to the existing list and introduced an obligation for the Commission to establish an additional list of substances to be monitored in all Member States (watch list) to support future reviews of the priority substances list.

6. Nitrates Directive. The protection of waters from nitrates from agricultural sources is covered by [Directive 91/676/EEC](#) (the Nitrates Directive), and Regulation (EC) No [1882/2003](#), which require Member States to send a report to the Commission every four years, providing details of codes of good agricultural practice, designated nitrate vulnerable zones (NVZ), water monitoring and a summary of action programmes. Both the directive and the regulation aim to safeguard drinking water and prevent damage from eutrophication, which is also limited by Regulation (EC) No [2004/648](#) regarding the use of phosphates in detergents. Although the latest implementation report (COM(2013)0683) shows that pressure from agriculture has decreased, the 2012 blueprint still identifies the Nitrates Directive as one of the key measures to achieve the WFD objectives.

Directive 2007/60/EC (the EU Floods Directive) aims to reduce and manage the risks posed by floods to human health, the environment, infrastructure and property. It requires Member States to carry out preliminary assessments to identify the river basins and associated coastal areas at risk by 2011 and then prepare flood risk maps and management plans focused on prevention, protection and preparedness by 2015. All of these tasks are to be carried out in accordance with the WFD and the river basin management plans set out therein.

B. EU coastal and marine policy

1. Marine Directive. The objective of the Marine Strategy Framework Directive ([Directive 2008/56/EC](#)) is to reach Good Environmental Status (GES) of the marine waters by 2020, to continue its protection and preservation, and to prevent subsequent deterioration. It is the first EU legislative instrument related to the protection of marine biodiversity. It enshrines in a legislative framework the ecosystem approach to the management of human activities having an impact on the marine environment, integrating the concepts of environmental protection and sustainable use. The Directive establishes European marine regions and sub-regions within the geographical boundaries of the existing Regional Sea Conventions. In order to achieve GES by 2020, each Member State was required to develop by 2010 a strategy for its marine waters, which should be reviewed every 6 years. The Commission Decision [2010/477/EU](#) on criteria and methodological standards on good environmental status (GES) of marine waters contains a number of criteria and associated indicators for assessing GES.
2. Marine pollution. The Erika oil spill disaster of 2000 prompted the EU to strengthen its role in the field of maritime safety and marine pollution with the adoption of Regulation (EC) No 1406/2002 establishing the [European Maritime Safety Agency \(EMSA\)](#). [Directive 2005/35/EC](#), amended by [Directive 2009/123/EC](#), on ship source pollution and the introduction of penalties for infringements, aims to ensure that those responsible for polluting discharges at sea are subject to effective and dissuasive penalties, which may be criminal or administrative. The discharge of polluting substances from ships is to be regarded as a criminal offence if it is intentional, carried out recklessly or arises from serious negligence, and results in the serious deterioration of water quality.
3. Integrated Maritime Policy. The Marine Directive is the environment pillar of the cross-cutting Integrated Maritime Policy ([COM\(2007\)0575](#)), which aims at achieving the full economic potential of the seas without compromising the environment. The Commission communication entitled ‘Blue Growth – opportunities for marine and maritime sustainable growth’ ([COM\(2012\)0494](#)) outlined the Integrated Maritime Policy’s contribution to achieving the goals of the Europe 2020 strategy.

4. Integrated Coastal Zone Management (ICZM). EU Recommendation 2002/413/EC on ICZM defines the principles of sound coastal planning and management to be taken into account by Member States when formulating their national strategies.

C. International agreements on regional waters

The protection of marine waters in Europe is governed by four cooperation structures (Regional Sea Conventions) between the Member States and neighbouring countries sharing common waters: the OSPAR Convention of 1992 (based on the earlier Oslo and Paris conventions) for the North-East Atlantic; the Helsinki Convention (HELCOM) of 1992 on the Baltic Sea Area (HELCOM); the Barcelona Convention (UNEP-MAP) of 1995 for the Mediterranean; and the Bucharest Convention of 1992 for the Black Sea. EU river waters are protected under the Danube River Protection Convention of 1996 and the 2009 Convention for the Protection of the Rhine. Interregional environmental cooperation focused on marine waters or river basins has led to the creation of several macroregional strategies in the EU: the 2009 Baltic Sea Region Strategy (the first comprehensive EU strategy designed for a macroregion); the first Baltic Sea Region Strategy (2009), a Strategy for the Danube Region (2011), and the latest Strategy for the Adriatic and Ionian Region (2014).

ROLE OF THE EUROPEAN PARLIAMENT

Parliament has regularly taken the initiative in the field of water protection. In January 2000, following the oil disaster caused by the wreck of the *Erika*, it called for a sustainable, long-term European transport policy to prevent any further oil pollution disasters. Concerning marine policy, Parliament has stressed the importance of biodiversity, eco-innovations, the effects of climate change on the seas, and the target of achieving good ecological status.

In June 2008 Parliament supported, by a large majority, new EU water quality rules. By demanding that a revision of the list of priority substances be made within two years after the entry into force of the directive on environmental quality standards, Parliament has ensured that the list of toxic substances can be expanded. In addition, it has reinforced the objective of phasing out entirely the emission of 13 priority hazardous substances within 20 years. Furthermore, in 2012 Parliament contributed to the update of the directive with the inclusion of new priority substances. In its report of 2012 on the implementation of EU water legislation, Parliament called for greater emphasis on the regional dimension, stressed the need for reliable data, highlighted the need to mainstream issues concerning water, supported a holistic approach to water protection, and advocated promoting research and innovation in the area. Parliament has welcomed and supported the 7th Environment Action Programme and the Blueprint for Europe's Water.

In September 2015 Parliament voted by a large majority in favour of a follow-up report to the first ever European citizens' initiative 'Right2Water', which calls on the Commission to propose legislation implementing the human right to water and sanitation as recognised by the United Nations. In particular, the EU institutions and the Member States are urged in the context of this initiative to ensure that all citizens enjoy the right to water and sanitation, that water supply and the management of water resources are not subject to internal market rules, and that water services are excluded from liberalisation measures. In its resolution of 8 September 2015^[1] Parliament called on the Commission to come forward with legislative proposals, and, if appropriate, a revision of the WFD that would recognise universal access and the human right to water.

[1] Texts adopted, [P8_TA\(2015\)0294](#).

Dagmara Stoerring
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