

EN
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Answer given by Mr Vella
on behalf of the European Commission
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Proper monitoring of water quality is already one of the cornerstones of the implementation of the Nitrates Directive¹, as well as of EU water legislation more broadly². The Commission does not consider it necessary to amend the Nitrates Directive. In order to properly implement EU water legislation, Member States must be in a position to identify the origin of water pollution.

While the Nitrates Directive does not set fully harmonised criteria for the monitoring system, it does establish an obligation of result stating clearly what needs to be achieved with such system. Moreover, the European Court of Justice has already clarified that Nitrates Vulnerable Zones should not be limited to areas where agricultural pollution is the only source of pollution; it suffices that nitrogen compounds of agricultural origin make a significant contribution³. This applies also to eutrophication.

As regards the nature of the measures included in Member States Nitrates Action Programmes, the Court has also clarified that Action Programmes must take account of the best available scientific and technical knowledge, as well as of the physical, geological and climatological conditions of each region. Member States must take all necessary measures to achieve the objectives of the Directive⁴.

The Commission takes into account all these elements when verifying whether Member States apply correctly the Directive.

¹ Council Directive 91/676/EEC, OJ L 375, 31.12.1991, p. 1–8

² Water Framework Directive (2000/60/EC), Groundwater Directive (2006/118/EC), Environmental Quality Standards Directive (2008/105/EC), Urban Waste Water Treatment Directive (91/271/EEC), Drinking Water Directive (98/83/EC), Bathing Water Directive (2006/7/EC).

³ ECJ Case C-293/97

⁴ ECJ Case C-543/16