



## WATER PROTECTION AND MANAGEMENT

Water is essential for human, animal and plant life and for the economy. Its protection and management transcend national boundaries. The EU Water Framework Directive (WFD) establishes a legal framework to protect and restore clean water in the EU and to ensure its long-term sustainable use. It is complemented by more specific legislation, such as the Drinking or Bathing Water Directive, the Floods Directive and the Marine Strategy Framework Directive, as well as by international agreements.

### LEGAL BASIS

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

### GENERAL BACKGROUND

Water is not a commercial product but a common good and a limited resource that needs to be protected and used in a sustainable way, in terms of both quality and quantity. It is, however, under pressure from many different uses from a variety of sectors, such as agriculture, tourism, transport and energy. In 2012, the Commission launched the [Blueprint to Safeguard Europe's Water Resources](#), a long-term strategy which aims to ensure 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. It 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.

### ACHIEVEMENTS

EU policy has established two main legal frameworks for the protection and management of our freshwater and marine resources in an eco-system-based, holistic approach, the Water Framework Directive (WFD) and the Marine Strategy Framework Directive (MSFD).

#### A. Water Framework Directive (WFD) and specific supporting water directives

The EU [Water Framework Directive](#) establishes a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater. It aims to prevent and reduce pollution, promote sustainable water use, protect and improve the aquatic environment and mitigate the effects of floods and droughts. The overall objective is to achieve good environmental status for all waters. Member States are therefore



requested to draw up so-called River Basin Management Plans based on natural geographical river basins, as well as specific programmes of measures to achieve the objectives.

The WFD is supported by more targeted directives, i.e. the Groundwater Directive, the Drinking Water Directive and the Bathing Water Directive, the Nitrates Directive, the Urban Waste Water Treatment Directive, the Environmental Quality Standards Directive and the Floods Directive:

The directive on the protection of [groundwater](#) against pollution and deterioration 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 threshold values for pollutants (with the exception of nitrates and pesticides, for which the limits are set by specific EU legislation) are set by the Member States.

The [Drinking Water Directive](#) defines essential quality standards for water intended for human consumption. It requires Member States to regularly 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. On 1 February 2018, and in response to the European Citizens' Initiative 'Right2Water', the Commission published a [proposal to renew](#) the 20-year-old directive. The reviewed directive would update existing safety standards and improve access to safe drinking water along the lines of the latest recommendations of the World Health Organisation. It would furthermore increase transparency for consumers on the quality and supply of drinking water, thereby helping to reduce the number of plastic bottles through increased confidence in tap water. An EU-wide risk-based water safety assessment should help to identify and address possible risks to water sources already at the distribution level.

The [Bathing Water Directive](#) aims to enhance public health and environmental protection by laying down provisions for the monitoring and classification (in four categories) of bathing water and informing the public about it. During bathing season, Member States have to take samples of bathing water and assess the concentration of at least two specific bacteria once a month at each bathing water site. They have to inform the public through 'bathing water profiles' containing for instance information on the kind of pollution and sources that affect the quality of the bathing water. There is a standard symbol for informing the public about the bathing water classification and any bathing prohibition. A summary report on the quality of bathing water is published annually by the Commission and the European Environment Agency (EEA).

The [Environmental Quality Standards Directive](#) establishes limits on concentrations of 33 priority substances presenting a significant risk to, or via, the aquatic environment at EU level and eight other pollutants in surface waters. During a review, 12 new substances were added to the existing list and an obligation was introduced 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.



The [Urban Waste Water Treatment 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.

New rules are under discussion to counter water scarcity by facilitating the reuse of treated waste water for agricultural irrigation.

The [Nitrates Directive](#) aims to protect waters from nitrates from agricultural sources. A complementary regulation requires 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.

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 and then prepare flood risk maps and management plans focused on prevention, protection and preparedness. 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**

The [Marine Strategy Framework Directive](#) (MSFD) is the environmental pillar of the EU's Integrated Maritime Policy (IMP), which was set up with a view to enhancing the sustainable development of its maritime economy while better protecting its marine environment. The objective of the MSFD is to reach 'good environmental status' (GES) of the EU's marine waters by 2020, to continue its protection and preservation, and to prevent subsequent deterioration. It establishes European marine regions (the Baltic Sea, the North-east Atlantic Ocean, the Mediterranean Sea and the Black Sea) and sub-regions within the geographical boundaries of the existing Regional Sea Conventions. In order to achieve GES by 2020, Member States have to develop ecosystem-based strategies for their marine waters, to be reviewed every six years. A regulation on [Integrated Coastal Zone Management](#) (ICZM), moreover, defines the principles of sound coastal planning and management to be taken into account by Member States.

The Erika oil spill disaster of 1999 prompted the EU to strengthen its role in the field of maritime safety and marine pollution with the [establishment of the European Maritime Safety Agency \(EMSA\)](#), responsible, among other tasks, for the prevention of, and response to, pollution caused by ships, as well as response to marine pollution caused by oil and gas installations. A directive on [ship-source pollution](#) and its [update](#) aim 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.



### C. International agreements on regional waters

The protection of marine waters in Europe is governed by four international cooperation structures, so-called 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; 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 Strategy for the Danube Region (2011), and the Strategy for the Adriatic and Ionian Region (2014).

## ROLE OF THE EUROPEAN PARLIAMENT

The first ever European Citizens' Initiative, 'Right2Water', urged the EU institutions and the Member States 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 response to this European Citizens' Initiative](#), Parliament, by a large majority, called on the Commission to come forward with legislation implementing the human right to water and sanitation as recognised by the United Nations, and, if appropriate, a revision of the WFD that would recognise universal access and the human right to water.

Underlining the necessary transition to a circular economy, Parliament supported plans to promote water reuse for agricultural irrigation. In a similar spirit, it endorsed plans to improve the quality of tap water so as to reduce the use of plastic bottles.

In its [resolution on international ocean governance](#), Parliament 'emphasises that creating a sustainable maritime economy and reducing pressures on the marine environment require action on climate change, land-based pollution reaching the seas and oceans, marine pollution and eutrophication, on the preservation, conservation and restoration of marine ecosystems and biodiversity, and on the sustainable use of marine resources'. In this context, it 'urges the Commission to support international efforts to protect marine biodiversity, in particular in the framework of the ongoing negotiations for a new legally binding instrument for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction' and 'calls on the Commission to propose more stringent legislation in order to preserve and ensure sustainable uses of marine biodiversity in areas under the jurisdiction of the Member States'.

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