



Plenary sitting

B9-0176/2022

30.3.2022

MOTION FOR A RESOLUTION

pursuant to Rule 227(2) of the Rules of Procedure

on measures against water pollution caused by nitrates, including improvements in the different nitrate measuring systems in Member States (2021/3003(RSP))

Dolors Montserrat
on behalf of the Committee on Petitions

European Parliament resolution on measures against water pollution caused by nitrates, including improvements in the different nitrate measuring systems in Member States (2021/3003(RSP))

The European Parliament,

- having regard to Petitions Nos 0751/16, 1025/16, 0793/17, 0819/17, 0482/20, 0490/20, 0491/20, 0499/20, 0535/20, 0095/21 and 0862/21,
- having regard Article 3(3) of the Treaty on the European Union, Articles 4, 191 and 192(4) of the Treaty on the Functioning of the European Union and Articles 35 and 37 of the Charter of Fundamental Rights of the European Union,
- having regard to Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources¹ (‘Nitrates Directive’),
- having regard to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy² (‘Water Framework Directive’ (WFD)),
- having regard to Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC³ (‘Bathing Water Directive’),
- having regard to Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration⁴ (‘Groundwater Directive’),
- having regard to Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy⁵ (‘Marine Strategy Framework Directive’),
- having regard to the Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption⁶ (‘Drinking Water Directive’),
- having regard to the Commission communication of 20 May 2020 entitled ‘EU Biodiversity Strategy for 2030 – Bringing nature back into our lives’

¹ OJ L 375, 31.12.1991, p. 1.

² OJ L 327, 22.12.2000, p. 1.

³ OJ L 64, 4.3.2006, p. 37.

⁴ OJ L 372, 27.12.2006, p. 19.

⁵ OJ L 164, 25.6.2008, p. 19.

⁶ OJ L 435, 23.12.2020, p. 1.

(COM(2020)0380),

- having regard to the Commission communication of 17 November 2021 entitled ‘European Soil Strategy 2030 – Reaping the benefits of healthy soils for people, food, nature and climate’ (COM(2021)0699),
 - having regard to the Commission communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (COM(2020)0381),
 - having regard to the Commission communication of 12 May 2021 entitled ‘Pathway to a Healthy Planet for All – EU Action Plan: “Towards Zero Pollution for Air, Water and Soil”’ (COM(2021)0400),
 - having regard to the Commission report of 11 October 2021 on the implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources based on Member State reports for the period 2016-2019 (COM(2021)1000),
 - having regard to its resolution of 17 December 2020 on the implementation of the EU water legislation⁷,
 - having regard to Rule 227(2) of its Rules of Procedure,
- A. whereas the Committee on Petitions has received several petitions raising concerns over the pollution of bodies of water as a result of nitrate and denouncing breaches of relevant EU environmental legislation; whereas it has also received petitions on problems related to the different nitrate measuring systems across the Member States and difficulties in correctly measuring nitrate levels in European waters and having an overall picture of the situation in the EU;
- B. whereas the status of many bodies of water in the EU has deteriorated due to overexploitation and pollution and/or does not yet meet the requirements set out in Article 4 of the WFD;
- C. whereas there are regions in the EU that are particularly exposed to this type of pollution because of their geographical characteristics and the impact of climate change;
- D. whereas an excess of nitrates is one of the main factors causing harmful pollution to water in the EU due to the accumulation of nitrogen and phosphorus from livestock manure and inorganic fertilisers;
- E. whereas nitrogen is a vital nutrient for plant and crop growth; whereas high concentrations of it in water are harmful to people and nature; whereas nitrates cause oxygen depletion and eutrophication, and thus put both human health and ecosystems at risk; whereas they have significant economic impacts on water treatment for human consumption, the transport of fresh water for affected communities and the economic

⁷ OJ C 445, 29.10.2021, p. 126.

sectors that depend on the polluted waters;

- F. whereas, between 2016 and 2019, 14.1 % of groundwater across the Member States still exceeded the nitrates concentration limit set for drinking water; whereas water reported as eutrophic in the EU includes 81 % of marine waters, 31 % of coastal waters, 36 % of rivers and 32 % of lakes; whereas between the periods 2012-2015 and 2016-2019, the total area of nitrate vulnerable zones (including in the Member States that apply a whole-territory approach) increased by 14.4 %; whereas the Commission has noted that eutrophication is an issue that is not being sufficiently taken into account when designating areas contaminated by nitrates;
- G. whereas 30 years after the adoption of the Nitrates Directives, water quality data shows that the levels of implementation and enforcement are still not sufficient to reach its objectives and the corresponding objectives of the WFD;
- H. whereas many Member States are still recording poor water quality right across their territory and have systemic problems managing nutrient losses from agriculture, while some other Member States have hotspots where pollution is not sufficiently addressed;
- I. whereas, despite the measures adopted, progress across the EU since 2012 has been slow; whereas infringements of the Nitrates Directive by the Member States are most often related to shortcomings in the stability of the monitoring network, the designation of vulnerable zones and the implementation of action programmes;
- J. whereas nitrate measuring systems and standards differ between Member States; whereas this means that nitrate measurement results cannot easily be compared and can lead to competition problems in the EU agriculture sector with ensuing disruptions to the internal market;
- K. whereas the European Green Deal provides for a 50 % reduction in nutrient losses by 2030;
- L. whereas in accordance with the Nitrates Directive, Member States must identify and correctly designate zones vulnerable to nitrate pollution in order to ensure effective action to combat nitrate pollution in their territory;
- M. whereas eutrophication is causing a worrying loss of biodiversity and even, in some cases, environmental tragedies in ecosystems of high environmental value that are difficult to rectify;
- N. whereas the magnitude of water pollution problems caused by the incorrect use of nitrates in the agriculture industry and those emanating from municipal sources such as wastewater treatment plants is threatening the survival of some European ecosystems;
- O. whereas many municipal wastewater treatment plants do not meet current requirements;
- 1. Recalls that the WFD requires all European surface waters to reach good status by 2027 at the latest; regrets that half of the EU's water bodies still do not have good status and that nitrate contamination continues to be one of the biggest pressures on the aquatic environment;

2. Notes that the Nitrates Directive remains a key instrument for the protection of European water bodies; expresses its concern about the inadequate implementation of the Nitrates Directive, its insufficient enforcement and the broad use of exemptions by Member States; notes, therefore, that progress has been slow since its adoption in 1991;
3. Stresses the importance of stepping up actions to address eutrophication of both fresh and salt water caused by nitrogen and phosphorus from all sources, especially from agriculture and municipal sources such as wastewater treatment plants and untreated or inappropriately treated wastewater; invites the Commission to propose ambitious measures in this regard in its forthcoming integrated nutrient management action plan, scheduled for 2022;
4. Underlines the fact that comprehensive knowledge of the situation in each Member State and at European level is needed; believes that the use of different measurement systems in each Member State can lead to difficulties in tackling the problem of nitrate water pollution at European level; calls on the Commission to guarantee the comparability of nitrate measurements and eutrophication assessment results across the Member States; is of the opinion that the nitrate measurement and eutrophication assessment systems, and in particular the location of the measuring points, should be harmonised within the EU; encourages the Commission to provide technical support to the Member States in this process by improving its guidelines as well as carrying out a study on how the monitoring systems are implemented by Member States; stresses that a uniform system for sampling and analysis is required in order to make measured values comparable;
5. Calls on the Commission and the Member States to ensure full transparency and public access regarding modelling and the underlying choices and assumptions made for estimating nitrogen emissions;
6. Underlines that the measures needed to ensure the protection of water quality and to counter pollution caused by nitrates must be designed and adopted on the basis of water quality data and not estimations produced by models, which can only provide additional information for targeted measures;
7. Considers the timely and significant improvement of all relevant measures in place to ensure good water quality to be of paramount importance, as, based on current observable trends, drastic changes are needed to reach the WFD's objectives of good ecological and chemical status of water;
8. Urges the Commission to adequately tackle all cases of non-compliance with the Nitrates Directive by fully taking into account the growing body of evidence and information brought forth by citizens, and to ensure full transparency regarding its overall actions against non-compliant Member States in order to uphold citizens' rights and their ability to enjoy fully the benefits of EU legislation; calls on the Commission, in this context, to greatly improve the use of its enforcement powers, including by making effective and timely use of infringement procedures in order to guarantee that Member States properly designate nitrate vulnerable zones and accurately establish and implement all relevant measures in the nitrate action programmes;
9. Regrets the fact that during the period 2016-2019, ten Member States were the subject

of ongoing infringement cases for non-compliance with the Nitrates Directive; calls on the Member States to urgently address existing water pollution and prevent any risk of further pollution by strengthening the designation of vulnerable zones under the Nitrates Directive and bolstering action programmes in order to fully implement and enforce the measures adopted under the Nitrates Directive; further calls on the Member States to ensure the integration of water objectives in other policy areas;

10. Points out that climate change and increased rainfall can lead to flooding and nutrient loss; regrets that current action programmes may not adequately address these risks; calls on the Member States to take these projections and risks into account when reviewing their action programmes, applying the precautionary principle;
11. Points to the importance of promoting the adoption of innovations to induce efficiency and good practices in agriculture, recognising the need to reduce inefficiencies that lead to excessive use of water, fertilisers, pesticides and antibiotics;
12. Recalls the importance of moving towards environmentally sustainable agriculture in order to eliminate nutrient pollution and to support the implementation of good environmental practices, including by properly using all relevant tools offered by the common agricultural policy, Structural Funds and other EU programmes, such as LIFE; stresses the importance of using innovative practices such as nitrogen recovery from manure to mitigate this pollution and minimise nutrient leakage into the environment; calls on the Commission to fund research programmes under Horizon Europe to find smart and innovative solutions to the problem of nutrient pollution in the EU;
13. Considers that a regulation is the appropriate legislative instrument by which to ensure the protection of waters against pollution caused by nitrates from agricultural sources and to apply uniform enforcement of water quality objectives across the EU in line with the targets of the European Green Deal;
14. Instructs its President to forward this resolution to the European Commission, the Council and the governments and parliaments of the Member States.