

# “The Water Framework Directive – Lifeline for European Waters” Platform 22 March 2017

## MEP Ulrike Rodust (S&D)

The Water Framework Directive (WFD) is one of our central laws for environment at the European level. If we want to act for pollution in the sea, we must start with the rivers.

The implementation of the WFD, as is often the case with European environmental laws, is coming about very slowly. The declared goal to have all water bodies of the EU in a good state by 2015 is also very far from being reached, 2 years after the deadline, and that’s because the Member States are not sticking to their own promises. All of the responsible ministers committed to this goal, so it is very surprising that they’re not shouldering up to this responsibility.

Nevertheless, the revision of the Directive is now at hand. I want to welcome the NGOs – **Living Rivers Europe** – doing their utmost to insure that the goals and the deadlines of the Directive – despite the revision process – are maintained.

## François Wakenhut, Acting Director of the European Commission’s Directorate-General for quality of life Environment

The 22<sup>nd</sup> of March (World Water Day) is very important, and celebrated since 1993, but it is still justified to be reminded of the need to redouble our efforts to deliver on our water priorities.

I want to underline how we see water as a core issue and a priority in the European Commission in general and in this DG in particular. The Commission issued a statement for World Water Day.

I would like to elaborate on four points: (1) the extent to which we are indeed committed to the water challenges in the years and months to come, with illustrations to what’s ahead of us; (2) the WFD is working, to a larger extent, and it has delivered; (3) challenges and what still remains to be done; (4) few elements on the future.

**1-** In the Work Program for the Commission for 2017, there is a lot that is water-related as water is closely intertwined with many of the Commission’s priorities.

The Commission will propose to revise the **Drinking Water Directive**, in response to first ever European citizen initiative. The issue is mobilizing and receiving attention. It is a necessity for public health and there are several issues to respond to: how do we keep up with technological development, how do we look on the overall drinking water stakes in the broader perspectives in which we are operating (innovation challenges we are to undertake in the context of an increased water scarcity).

In the context of **Circular Economy**, which is one of the core initiatives of the Commission, we will also look at a new proposal of reuse urban water waste for agriculture and also for the recharging of ground

water aquifers. So it fits well with “Water and Waste Water” (the theme chosen by UN for National Water Day).

**2-** The **WFD**: we are going to continue to pay attention to its implementation. Water is clearly an area where we need to work at the European level in order to have an effective impact. And with third countries beyond the EU.

We owe the citizens: clean waters, good ecological status (GES), good chemicals status, the quality they deserve, and we owe it also to all the users and operators who depend on water for their activities.

Swimming is becoming increasingly possible in many parts of Europe: it may seem symbolic but it is not symbolic in the eyes of the citizens.

Economic and social activities: 1 million working in the water sector and 10 million in agriculture.

With the **WFD**, we innovated: it is a participative approach; also balancing between the preservation of the resources and the thriving activities that can continue to be operating in that context: it is about sustainable development applied to a specific area.

Health, gender equality, there are many subjects linked to water.

**3-** So yes, the **WFD** is working, but there are remaining challenges, the main one being that 25% of our ground water bodies are in a poor chemical status; by the last count about half of our surface water did not meet objective of the GES by 2015.

Climate-change impacts are exacerbating many of the negative impacts that we felt over the years: droughts, water scarcity and floods are now on top of the agenda. They were not when the legislation was adopted in 2000. This is something we need to address if we are to be successful.

We need to focus on:

- a far more coherent and coordinated approach: coordination is not easy
- integrating water in other sectors
- more investments

**4-** We need to seek opportunities to better coordinate water policy with agriculture (interdependency): this objective is ongoing in the Commission across all services. With the public consultation for the reform of the CAP, this is a very actual topic.

How are things delivering on the ground?

The assessment of the second batch of River Basin Management plans and the first generation of Flood Risk management plans: they're ongoing and the next steps will be decided depending how far we are to target.

By the end of the year, the Commission will prepare for **the 2019 evaluation of the WFD and all its daughter directives**, like the Flood Directive and Urban Waste Water Directive in the overall integrated perspective that we want to follow.

We will look at relevance, effectiveness, efficiency, coherence for an overall assessment about the potential for regulatory simplification and burden reduction.

The time has not come to draw conclusions about the evaluations; the evaluations will need to be carried out through the full set of rules that apply.

In conclusion:

We need cooperation, we need an inclusive process: it was at the core of the WFD when it was adopted, it is still true now. The evaluations will be an inclusive process. This exercise needs to be as informed as possible.

The Commission is determined to maintain the ambition in the implementation of the water at key and to continue to support MS in this endeavour; not only for water but in all linked activities.

We need to achieve good status, and this is obtained with good cooperation.

## Geneviève Pons – Director of the WWF European Policy Office – “Living Rivers Europe”

**WWF Living Planet Report 2016:** fresh water species are declining at a faster rate than species in any other ecosystem. On average, the abundance of the population monitored in the fresh water system in Europe has declined by 81% between 1970 and 2012.

Moreover, the European Commission report shows that water ecosystems are still experiencing the most significant deterioration and biodiversity decline.

This is a very worrying situation indeed.

That’s why we are using this opportunity today to express our support and plea for an ambitious water management in Europe.

I am honoured to be speaking not only for WWF, but also on behalf of “**Living Rivers Europe**”, a coalition of five NGOs which represents 40 million people across Europe who want water managed sustainably for the benefice of all (nature, economy and people). We also have an immense experience, working in policy and law-making to restauration on the ground. We work with businesses and authorities and are aware of how management needs to be adapted to different contexts.

Globally, Europe is considered as advanced in water protection. The **WFD** is seen as a great example in the rest of the world and we believe it is the right tool, but the Member States ambition is very low to enforce it.

This is reflected by:

- Pollution from agriculture that affects 50% of surface water bodies and 33% of ground water bodies while farmers represent 40% of water users in the EU. This is the mutual dependence underlined by the Commission, as the first victims of bad water management will be the farmers.
- European Environmental Agency reports have identified more than 25 000 hydropower plants as one of the main problems affecting rivers in Europe. And more constructions are planned; small hydropower is speeding up with 800 projects in Central and Eastern Europe, often with inadequate assessments and processes.
- Water scarcity, droughts and floods are already a major problem in many areas across Europe. Even though this is a serious issue, measures taken to respond to it are either inexistent or inappropriate.

In addition, the implementation of the WFD is also pervaded with the use of **exemptions** which in many cases are not properly justified and completely misused. This leads to **postponing of deadlines or lowering of objectives**, as well as going ahead with projects with significant impact on water ecosystems.

We, nevertheless, believe that a proper implementation of the WFD is very much possible across Europe, and it is essential if we are to secure a healthy future for our society and economy. Many countries in the world are looking at us on this regard.

As it is certainly not the time to weaken our standards, Living Rivers Europe will fight for:

- A WFD that is better implemented and enforced
- Its objectives must be better integrated in policies like agriculture, flood management, energy and transport
- Nature-based solutions need to be found to address impacts of floods and droughts
- All water users must start to pay for water **fairly**

In Europe, we don't have many free-flowing and preserved rivers left.

- ➔ The few ones remaining have to be protected against unsustainable hydropower and inland navigation development.

In light of the upcoming Water Framework review and on-going discussions between Member States regarding the revision of the Directive, we must insure that its **high standards** are kept in order to meet the ultimate 2027 deadline for bringing European waters in good health.

In conclusion, the current practice of not tackling the drivers of water ecosystems degradation and increased pressure from a group of Member States to weaken the European standards need to be stopped.

They are also very much at odds with the **EU's commitments on Sustainable Development Goals (SDGs)**. For the first time, the global community has decided to have **an SDG dedicated to water** that goes far beyond providing safe drinking water and basic sanitation. It focuses on **integrated water management** and **protection of water ecosystems** for which the WFD offers a perfect model.

We need to recognise in practice that this Directive is one of the most important environmental legislation to have ever been adopted. The EU needs to step up as an example to ensure that our most precious resource is effectively protected.

## MEP Franc Bogovic (EPP)

As we heard, there are many interests at stake when it comes to the WFD and it is necessary to maintain a balance between water protection and other related policies.

## Valentin Opfermann – Policy Advisor on Environmental issues (Water Management, Biodiversity) at Copa Cogeca – Agricultural sector

Copa Cogeca is representing the European farmers and agri-cooperatives (about 22M farmers and their families and 22 000 agriproperties).

The agriculture plays a major role in the sustainable management of our natural resources and, of course, of our water and ground water. It is therefore a part of the solution.

Farmers depend on water, and would, indeed, be the first to suffer from bad water management.

➔ In fact, agriculture is the sector that is the most affected by climate change (droughts, floods)

How can the farming sector contribute to a good status of water:

Farmers need water: we are therefore working on water efficiency, precision irrigation, collecting rain water, water re-use.

### **Water re-use:**

The joint press release of Commissioners Hogan and Vella underlines the importance of water re-use. But many challenges remain for the agricultural sector on this topic:

- we need to look at the water quality, nutrients in the water;
- there is also legal issues,
- infrastructure,
- and consumers that need to be convinced that re-used water is not a threat to their health.

### **Nutrients:**

A whole set of measures is in place to reduce the presence of nutrients in the water. It is effective, and a broad network is in place in the EU (France and Germany have notably step up their efforts).

In addition, agri-environmental measures under the second pillar of the CAP are very successful as farmers are really implementing them in their farms.

Of course, we need nutrients, but since 2011 only 5 new active substances have entered the market, which means their amount has significantly decreased. The assessment of these substances is taking more than 10 years and is looking on human and animal health issues as well as impact on the environment. We are working on additional measures.

### **Research:**

It is crucial as it will come up with solutions for so many of the challenges that we are facing today. However, farmers have to be involved since the beginning and at every step in order to find easy and practical solutions. In that perspective, funding and education are essential.

### **One-out all-out principle:**

We are investing huge amounts of money into improving the water quality and, in some cases, there are a few very costly indicators that can no longer be justified. The additional benefits are only marginal, so we have to work on an assessment of the quality of the water bodies that is flexible and we cannot let one single criteria decide over the overall status of the water.

### **Conclusion:**

The farmers have significantly contributed to the progress that has been made and mentioned today, they will help achieving the goals of the WFD as well as other goals such as biodiversity, climate change, STGs and a more Circular Economy.

Sustainability is also much about economic sustainability: we have to find solutions that will allow farmers to make an economic living while at the same time contributing to the environment.

## Peter Matt - Head of Engineering Services at Vorarlberger Illwerke AG

### About the **one-out all-out principle**:

Already before the millennium, hydropower was very active with authorities, with monitoring, etc. We have always been on board about improving the quality of our waters. The difficulty, however, is that there are several important stakeholders regarding water. As well as flood protection with which we have much restricted our rivers.

As you may know, there are 20 000 hydroelectric power stations in Europe, 200 out of them are very big stations that bring about 80% of the electricity and have over 90% of the performance. I am now speaking on behalf of those large hydroelectric power stations.

I tried to write a catalogue with hundreds of mitigation measures ranging from 2009 and 2015 that can be seen on the homepage of Austria Energy.

It is true that recent developments are extremely important: we cannot rely on data or facts that are based on simple statements, or based on emotional interventions. We require facts, and facts can only be achieved by R&D.

Since 2010, there are many projects in collaboration with universities, with the ministries, with different companies, all of this in order to tackle this very problem.

We all know that we are currently doing our outmost to remedy the situation and by the end of April, we want to finalise our studies together with the ministries on a national level.

That is why I want to stress how important it is for us to collect facts that were brought about by recent developments and empirical observations. Let's all put these facts on the table, sit down all together, and then find the best solution in order to restore a Good Ecological Status.

In Austria, we want to create the best possible potential.

## Mark Owen – Head of Freshwater Affairs at EAA

For those of us who are involved with the WFD, it can get very technical. But the beauty of this directive is its goal **and its goal is good status**.

It is simple, and we know by the work that has been done what good status looks like. But you cannot achieve good status by abandoning the one-out all-out clause.

Why is recreational fishing so heavily involved in the water? Well, it is fish.

- Is it a hobby? Yes.
- Is it a passion? Yes.
- Is it a serious business? Yes.
  - o 25 Million recreational anglers in Europe
  - o 25 Billion Euros contributed to the economy
  - o Hundreds of thousands of jobs.
- Tens of thousands of anglers working as volunteers on our rivers and waterways.
- We're a regulated industry. The freshwater side is heavily regulated, we're licensed and we contribute through our licensing to the improvement of the protection of our rivers and waterways.
- Increasingly the governing bodies in the angling organisations are taking on that policing role themselves in a voluntary or paid capacity.

Fish stocks are very important to us. They are a bit like the canary in the mines. If you get the fish population right, you get everything else right.

But fish are not right and, in most water bodies, fish are the element that is failing.

Member States need to recognise that increased fish stocks through proper delivery increases angling, is good for the economy, but is also good for health. This is one of the unquantified benefits that we are working on.

There is now a number of schemes across Europe where we are working with public health services at a cheaper and more effective way of getting people better and back to the work place. Those services are starting to recognise that this is a way forward.

The experience of the implementation of the WFD across our MS is different and patchy. Some are witnessing decreasing fish stocks. I would argue that those Member States need to look very carefully at the no-deterioration clause in the WFD. Some Member States are blatantly ignoring the opportunities and are looking at too narrowed visions of what a cost and a benefit is. However, I think that is what needs to be looked at.

## Pieter de Pous – EU Policy Director at EEB

The WFD is a very great story of the EU at its best.

The way it was put together already in the 90s in recognition of well identified, well understood problems with our water resources, coming together, agreeing on an ambitious plan of action: the goal, the simple goal of achieving Good Ecological Status giving itself three cycles to achieve those goals.

It is really good to have this discussion in the European Parliament. It is really thanks to the Parliament at the time that the WFD came up being what it is.

This is continuous work in progress.

We are now in the second cycle. When we were in the first cycle, the argument of a lot of Member States was that it was a 'test cycle'. But now they start asking what is going to happen after 2017 if they don't meet their objectives and that is not a very encouraging signal.

The debate about the one-out all-out principle, for instance, sounds like a very poor excuse.

The issue of what we are going to do with the final difficult bits that are left after we tried to meet our objectives is already being addressed: you can report to the Commission and explain why you cannot meet the objectives, then move forward.

At the moment, we need Member States to get on with the work and have a hard look at:

- The way cost recovery, water pricing instruments are being introduced
- The way exemptions are being applied and used: there is a real emergency with the expansion of hydropower; the fact that we can build fish ladders on existing plants doesn't mean we should continue building them all over the place.

### **Agriculture:**

The WFD is giving objectives but we need to take a look at the whole range of other policies that are relevant to this.

The fact that agriculture should be part of the solution shouldn't be confused with the argument that agriculture is already part of the solution. This is not what evidence tells us.

The evidence tells us that agriculture is a big part of the problem and it is a well-known problem. It is linked to nutrients and phosphate, and things we have been trying to solve for a very long time. And in order to solve it, we need to talk about agricultural policies. I would really agree with the Commission as this has been underlined in the consultation that is currently running: one step would be to start pointing these issues out in the debate.

## Roberto Eppe – Founder of ERN

A word about **European Rivers Network**:

We are trying to save the "last wild river" in Europe, as we call it. We also have set up a network with other NGOs and have now joined "Living Rivers Europe".

We are a network of NGOs and citizens. We are not rivers users. We are not producing electricity, we are not using water for agriculture. Some of us are eating fish, yes. But we are all depending on healthy rivers. This is a very different position, of course.

We are defending the common interest and we are fighting, sometimes with the help of the WFD and other European directives, which puts us a little bit in a sandwich position.

So this is hard work that we try to do on the ground in different sectors:

- Protecting the rivers: we have a very new approach: we label rivers
- A campaign in the Loire to maintain good status
- Restoring rivers: we are at the origin of the dam removal idea, making France a leading country in the matter. After 10-15 years, we now have a large experience in how to proceed and how to convince people.
- The come-back of the salmon: this is about ecological continuity. Through the salmon, we fight for free rivers. For instance, on the Rhine River, we have problems with several big hydropower companies who do not have the same ideas about ecological continuity. It is hard work to convince that rivers should also be free for fish and sediments, and not only for boats and energy production.
- If all our rivers are clean, it is the aim of the WFD, then we can swim in those rivers. Good Ecological Status also means that.

## MEP Franc Bogovic (EPP)

As we heard, rivers sometimes divide us, sometimes they connect us, and we are here to build bridges between the different interests. In my experience, I find everything is always much easier when everyone sits at the same table and is able to understand the others' perspective.

## MEP Linnea Engström (Greens)

In Sweden, we have built our welfare state on hydropower, it is almost untouchable. But we have come to an agreement: for our rivers that have not been built upon, they are excluded to being more built upon.

In Stockholm, growing up, I remember that we couldn't drink the water. Then there was a big campaign for many years to change that, and it did. Though, nowadays, I'm not sure the water is still drinkable.

- How can we clean the water? Is there some kind of cheap technology to help municipalities achieving that kind of modernisation?

We know the problem with small hydropower plants: they are everywhere and, sometimes, they have a huge cultural value. They were built, maybe, at the beginning of the 19<sup>th</sup> century and built for that small town or that small local community. Today, they are keeping the fish from migrating as they should, affecting of course anglers, but also the water.

- So how do we do it? How do we deal with those small hydropower plants with cultural value?

## MEP Ulrike Rodust (S&D)

Question to Mr. Opfermann:

I participated in the last agricultural reform and I remember not agreeing to the 10% surface for Ecological Focus Areas.

- Have there been a change of thoughts amongst the farming associations, or would you continue to say that we have to get those “strict” conversations with you?

## MEP Gesine Meissner (ALDE)

As chair of the Intergroup "Seas, rivers, islands and coastal areas", with the other members, we try to achieve economic activities and environmental good status at the same time. I have one very simple question:

- When is this European Swimming Rivers day?

## Roberto Epple – Founder of ERN

This year, it will be the 9<sup>th</sup> of July, on a Sunday. You can find out more on: <http://www.bigjump.org/>

## Mark Owen – Head of Freshwater Affairs at EAA

- MEP Linnea Engström’s question about water treatment technology:

I think you are referring to a time when, following the Urban Waste Water Treatment Directive, a lot of work had been done on improving drinking water and all Member States really benefited from this. You are quite right, most of those infrastructures are getting outdated. But this Directive is now a daughter directive of the WFD, so, during the revision period I would expect those questions and cost/benefit analysis to form part of that revision.

- About MEP Linnea Engström’s question about small hydropower plants and their cultural value:

One of the beauties of the WFD – and François Wakenhut also mentioned it – is its requirement for public engagement and public understanding of the issues. This kind of situation is therefore best dealt with education.

## Peter Matt - Head of Engineering Services at Vorarlberger Illwerke AG

- About MEP Linnea Engström’s question about small hydropower plants and their cultural value:

In Austria, we are trying to buy those small hydropower plants to build new ones that do not necessarily require more water though they are more performing. This is about bringing improvements. Otherwise we’d have to change national laws, which would prove rather difficult.

## Valentin Opfermann – Policy Advisor on Environmental issues (Water Management, Biodiversity) at Copa Cogeca – Agricultural sector

- About MEP Ulrike Rodust's question on ecological areas and capping:

Of course, the Ecological Focus Areas are a highly political discussion.

Nobody expected it to achieve 10%, as you mentioned, not even the farming sector. I think it is a matter of Member States' implementation. For instance, in Denmark, farmers only have two options for implementing, while in other countries they can have about ten different options.

We want to keep the Ecological Focus Areas and we want to keep them in the first pillar. Lessons have been learned. This was a first step and we will build on this. There will be amendments and we will be delivering the best possible outcome for the environment.

### MEP Gerben-Jan Gerbrandy (ALDE)

Because we still are at an early stage of the WFD review it is good to start with, as mentioned by my colleague MEP Franc Bogovic, sitting at the same table.

This is what we are doing at this moment: we have a broad range of stakeholders around this table and, up to the real decisions being made within the EU Commission and later on in the Parliament and Council, it is very important that we continue to sit together at this table.

We need to acknowledge what the problems are and what kind of solutions have to be found.

Secondly, it is also very important to acknowledge how much progress we have made in the last decades on water quality. That doesn't mean that we have reached a goal. As François Wakenhut said, we need good status. It is a matter of progress if we continue saying that we need good status everywhere in Europe, we are not going to exclude certain areas because it is more difficult there to achieve a good status.

I've learned a lot today and I want to thank you for that.

Implementation is always really difficult, this is also something that we need to acknowledge. Still, it is important that we continue focusing on implementation.

Farmers are indeed part of the solution but they are still part of the problem. We still have a lot of problems.

If you look at the mid-time review of the European Biodiversity Strategy, almost all signals are still dark-red and pressure on ecosystems is still increasing instead of decreasing. We have to be realistic: despite all the progress that has been made, there is still a lot to be done.

To conclude, I'd like to agree with Peter Matt that we need facts when it comes to take decisions in the Parliament. Of course, water makes us very emotional so it important to keep that in mind.