

Position on the Fitness Check and the Blueprint to Safeguard Europe's Water Resources

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Introduction:

The European Union of Water Management Associations (EUWMA) welcomes the initiative to develop a Fitness Check as a building block of the Blueprint to safeguard European Water Resources. EUWMA wants to express its opinion on the initiative in this paper and wants to offer its co-operation with the Commission in developing and executing the project in order to achieve efficient and effective results. EUWMA realizes the important benefits EU water legislation has brought so far and supports the integration of the RBMP with the plans to cope with the issues coming from droughts and floods. Focusing on the objectives by giving more attention to the proper execution of present legislation has a higher priority for EUWMA than creating additional legislation. EUWMA sees the Blueprint initiative as an important initiative to make sure that legislation can be further improved, so that the shared objectives can be made in the most efficient and effective manner. This document focuses on perceived challenges, regardless of the many benefits.

Two general remarks:

1. The general objectives of EU water policy are supported by EUWMA and allow for important and necessary improvement of the situation of Europe's waters. Objectives, which are mostly based on technical principles, however, are often difficult to reach as a result of a lack of proper implementation of legislation, caused by economic or political principles. EUWMA argues that this calls for **a stronger role of the European Commission in monitoring and enforcement of implementation of water policy in EU member states**. If not, a possible outcome could be that a more pragmatic approach may be chosen by actors in the water sector to deal with challenges, not reflecting the polluter pays principle and the prevention of pollution at source. It is important to make clear to legislators and the public the important advantages water policy has for the community, the environment and biodiversity in order to have a positive outcome of the cost/benefit analysis discussion of the recommended measures.
2. From the water system perspective, EUWMA suggests that it would have been appropriate **to base the Blueprint on the challenges for water quality and water quantity**, with the objective of achieving a sustainable use of water resources in the EU. To be effective, the evaluation of EU Water Policy and development of policy recommendation of the Blueprint should be a continuous process instead of a one-off exercise.

I. Implementation:

1. Performing a fitness check on present legislation and policy followed by adjustment and renewal where appropriate will not be enough if these activities are not accompanied by **effective measures to improve implementation** and especially enforcement of present and new legislation.
2. With regard to the WFD, the river basin approach has been the appropriate policy option. On the member states level, however, there is a **need for better stimulation of international coordination**, as in practice this is not implemented properly. In order to keep implementation manageable, the focus of making RBMPs has been on local measures, and scaling it up to the international level has proven to be very difficult.
3. Failure of implementation means shifting the consequences to others. The **use of possible exceptions in the WFD must be limited** to situations of force majeure.
4. Achieving the objective of article 7.3 of the WFD is remains an enormous challenge. **Protected areas demand more attention.**
5. The **role of the European Commission on enforcement of implementation by the MS of the water legislation should be strengthened** in order to reach objectives. Sanctions against failing to achieve objectives should be strong, in order to result in appropriate action by Member States.

II. Links with other legislation and policy objectives:

1. Policy objectives with regard to: agricultural policy, biodiversity, nitrate regulation, habitat, plant protection products, public health, environmental planning, economic policy are not adequately aligned with water policy objectives. To improve this situation a clear coordination between the WFD and other policy fields and legislation should be enforced more clearly by the Commission. The fitness check, being a very use fool tool to assess water policy, will not be complete if it does not take properly into account all these other policy areas that directly affect the water system.
2. A more direct coordination between water policy and EU policy on regional development, research, technology development and innovation is necessary. Budgets should be more integrated to better support EU policy objectives.
3. The European Commission should be very careful with any policy assessment not to approach this assessment from a technical perspective only. There is a need to include socio – economic and political realities as well, to be able to come to realistic conclusions.

III. Diversity:

1. Europe shows a great diversity with regard to water, on the level of natural circumstances as well as in organization of the water sector. These differences should be well reflected in EU legislation and in the way this should be implemented. EU water legislation cannot be based on European averages, as they do not reflect reality.

2. The Blueprint should lead to the stimulation of coordination between member states for cross border inter regional cooperation in addition to the approach on EU level. Member states should have the opportunity to share their knowledge and experiences with European decision makers with regard to water management issues.
3. There is a need for simplified and more pragmatic legislation.
4. However, under the EU principles commonly to be agreed, the importance of the subsidiarity principle with regard to proposed measures, implementation of measures, monitoring duties and reporting requirements, should be taken into account.

IV. Principles

1. The solidarity principle should be applied to all water quantity policy, also to water scarcity and droughts in addition to floods.
2. European policy objectives are quite often too much determined on the basis of technical variables. Much more attention should be given to problems arising from governance, financial and administrative constraints in water management issues. Coherent European policy objectives should be developed to minimize constraints for water management organizations to reach realistic objectives.
3. The “polluter pays” principle is not sufficiently represented in present legislation and policy.
4. “Prevention of pollution at source” remains a principle of absolute priority and may require an European initiative to be properly enforced.
5. The policy on protected areas has to take into account “preventive risk management” as mentioned in the WHO recommendations for drinking water.
6. In implementing legislation which is based on the above principles, but which at the same time has to take economic and political realities into account, sometimes a choice has to be made between a more pragmatic approach and the application of strict principles; However, from a public health perspective, for drinking water quality such a compromise is not acceptable.

V. Water Pricing

1. There is a need for research on water pricing policy (price elasticity of demand). Only in certain cases water pricing will be an effective instrument.
2. As far as technicalities are concerned a lot of practical knowledge can be exchanged between Member States.
3. Due to in general a low price elasticity of demand it is better to spend more attention to quantitative measures in achieving a proper system of demand management.
4. The water pricing principle will have to be implemented in such a way that it does not lead to an increase of prices for waters used for irrigation as this could, in certain Member States, have dangerous effects for farmers who, without sustainable prices for irrigation, may have to

reduce their demand for irrigation which could entail negative effects on agricultural productions.

EUWMA, the European Union of Water Management Associations, represents public local and regional water management organizations from, currently, eight EU member states, covering a surface of around 50 million hectares.

EUWMA members: Belgium/ Belgique - Vereniging van Vlaamse Polders en Wateringen (VVPW) / l'Association des Wateringues Wallonnes (AWW); France – wateringues & Association Syndicales Autorisées (ASA); Germany - Deutscher Bund der verbandlichen Wasserwirtschaft (DBVW); Hungary - Vízgazdálkodási Társulatok Országos Szövetsége (VTOSZ); Italy - Associazione Nazionale Bonifiche, Irrigazioni e Miglioramenti Fondiari (ANBI); Spain - Federacion Nacional de Comunidades de regantes de Espana (Fenacore); The Netherlands – Unie van Waterschappen (UvW); United Kingdom - Association of Drainage Authorities (ADA)