

Aqua Publica Europea Comments on the Water Framework Directive and Floods Directive Evaluation Roadmap

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Aqua Publica Europea, the European association of public water operators, welcomes the opportunity to comment on the evaluation roadmap concerning the fitness check of the Water Framework Directive (WFD) and Floods Directive.

Today, EU water policy is taken as a reference worldwide, with the WFD as its centre-piece. Through the definition of River Basin Management Plans, which should be developed through a multi-stakeholders process, the WFD sets the basis for an integrated approach to water resources management. Nevertheless, other aspects of the Directive may need to be improved, including its internal coherence and the consistency between the objectives of the WFD and other water-related and sectoral legislation.

We therefore invite the Commission to take account of the following issues when performing its evaluation of the WFD and Floods Directive:

- WFD Art. 7 requires EU Member States to provide “necessary protection” for water bodies used for the abstraction of drinking water by, for example, establishing safeguard zones. This “at source” protection of water bodies has been essential in ensuring quality and affordable drinking water for all under Directive 98/83/EC (the DWD) by reducing the need for treatment. Therefore, the relationship between the DWD and the WFD should also be taken into account in this evaluation, especially in the light of a possible introduction of the risk-based approach in the new DWD.
- WFD Art. 9 establishes a cost-recovery principle based on an adequate contribution of the different water uses and on the polluter-pays principle. While the cost-recovery principle is today largely applied by water operators, the financial contribution of some economic sectors and the application of the polluter-pays principle are not yet satisfactory. This generates economic and environmental inefficiencies, and has negative effects on the affordability of water services for domestic users. Both issues (the inefficiencies generated by the lack of application of the polluter-pays principle across all uses, and its impact on the affordability of water services for households) should be considered in this evaluation.
- More generally, the evaluation should help ascertain whether the current WFD (and specifically its Art. 9) allow for the simultaneous achievement of three equally important goals: the recovery of management and resource costs, the affordability of water services and the realization of the right to water, and the efficient use and protection of water resources. Reconciling those three dimensions is more central to the objectives of the WFD than the eventual impact of the WFD measures on businesses.



- Art. 14 of the WFD on public information and consultation has been a key instrument in introducing the principles of the Aarhus Convention into water policy-making in the EU Member States. Its relevance and effectiveness should be considered in this evaluation, also in relation to the revision of the DWD and the WWTD.
- In addition, water management is today increasingly impacted by different challenges, namely the effects of climate change (with increasing extreme events such as floods and droughts). The review should show whether the current governance structures are fit to enable relevant authorities and actors to adequately address the risks generated by those new pressures through effective preventive and mitigation measures, supported by appropriate economic instruments when needed. More generally, the capacity of the WFD to promote long-term integrated strategic planning (including planning of investments) should also be assessed.
- Finally, and especially in the light of the implementation of the polluter-pays principle, the specific coherence between the WFD and other sectoral legislation (agriculture, industrial emissions, fertilizers and plant-protection products, etc.) should also be considered.

About APE

Aqua Publica Europea (APE) is the European Association of Public Water Operators. It unites publicly owned water and sanitation services and other stakeholders working to promote public water management at both European and international level. APE is an operator-led association that looks for efficient solutions that serve the public rather than corporate interests.