

*Background paper*

## Europe's waters today

### *Introduction*

The Water Framework Directive (WFD), in force since 2000, is one of the most ambitious pieces of EU environmental law. Its key objective is to achieve good status for all water bodies by 2015<sup>1</sup>. This comprises non-deterioration, good ecological and chemical status for surface waters and good quantitative and chemical status for groundwaters. The key principle of integrated river basin management is to bring the economic and ecological perspective into the management of water quality and quantity. The main instruments for implementation are the River Basin Management Plans (RBMPs) and the Programmes of Measures (PoMs).

The European Environment Agency (EEA) published in July 2018 its State of Water Report<sup>2</sup>. Every six years, linked to the cycles for preparing and reporting the RBMPs, the EEA report reflects the progress towards the achievement of the objectives set by the WFD.

The Commission is currently assessing all 170+ RBMPs for the period 2015-2021, and plans to publish its Implementation Report by December 2018<sup>3</sup>. This report will complement the EEA report and include an in-depth analysis of a large number of additional aspects related to the implementation of the Directives, with results and recommendations at both EU and national level. It will be complemented by a European overview of the implementation of the WFD and the Floods Directive, as well as individual Member State reports.

### *Achievements and Challenges*

The EEA Report's main findings are that despite progress in improving the environmental quality of Europe's surface (around 40% are in good status) and groundwater bodies (around 74% are in good status) over the past decades, pollution, over-abstraction, and structures like dams remain top threats to their long-term health. The vast majority of Europe's water bodies still fail to meet the European Union's minimum target for 'good status'. Europe's waters remain under multiple pressures from different economic sectors and human activities, in

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<sup>1</sup> Extensions to this deadline may be applied, but these shall be limited to a maximum of two further updates of the River Basin Management Plans (RBMPs), except in cases where the natural conditions are such that the objectives cannot be achieved within this period.

<sup>2</sup> <https://www.eea.europa.eu/publications/state-of-water>

<sup>3</sup> The Commission has already published four Implementation Reports on previous implementation steps, available at this link [http://ec.europa.eu/environment/water/water-framework/impl\\_reports.htm](http://ec.europa.eu/environment/water/water-framework/impl_reports.htm)

particular water pollution (chemicals and nutrients), over-abstraction and infrastructure developments such as dams and navigation channels.

Complementary to this, the Commission's ongoing assessment of the 2<sup>nd</sup> RBMPs shows that overall there have been substantial improvements in levels of knowledge and the management of water across the EU. Improved implementation of related legislation has had a positive effect on water status, in particular of the Urban Waste Water Treatment, the Nitrates, and Industrial Emissions Directives and EU law related to chemicals.

However, the preliminary assessment also shows that there is still a significant effort to be made to overcome the remaining challenges by the end of the third implementation cycle (i.e. by 2027). Some more specific preliminary findings are already emerging from the analysis:

*Governance:* Over the two cycles of implementation, the WFD has brought many stakeholders together and led to decisions to improve water quality. Measures have been taken, investments have been made, but it can take time before ecology recovers. The Commission is confident that the results of these actions will better show in the next cycle of RBMPs. For most countries, broad participation and active involvement of stakeholders have been ensured in the preparation of the second RBMPs, and the harmonisation of methods has improved to allow for strengthened coordination both at national and international level.

*Knowledge of causes:* Compared to the previous cycle, there is much better knowledge of the current status of waters and the main reasons for failure to achieve good status, as well as of the measures that are needed to avoid further deterioration and improve the status of waters. The understanding of significant pressures has improved since the first cycle, including the interactions between different types of pressures. However, the justification for excluding some pressures should be improved and the drivers behind some hydromorphological alterations still need to be better understood.

*Monitoring:* The monitoring networks and their coverage have been revised based on the experience from the first cycle of RBMPs and in response to the Commission recommendations on those plans. However, even though there have been efforts to complete the monitoring networks, there are still some gaps, and the monitoring frequency is not always in line with the minimum recommended under the WFD.

*Status assessment:* There has been further progress on the completion of the methods for status assessments and the confidence level of the results since the first cycle. However, further efforts are needed in particular for coastal and transitional waters and to translate the results of the intercalibration exercises into national methods.

The percentage of surface waters in good overall ecological (from 38% to 40%) and chemical status (unchanged at 41%) has increased only very little since the first cycle. But

there are many improvements in individual quality elements, not reflected in the overall ecological status, and in improvements as regards certain chemical pollutants, unfortunately counteracted by increased knowledge on the presence of others.

*Exemptions:* On the application of exemptions, there has been some improvement in the justifications provided, as these are now more detailed and provided at the water-body level, although the exemption regime is still too often applied and in some cases the justifications still given in a very generic way. The application of the Article 4(7) exemption for new physical modifications for new infrastructure projects has increased in the second cycle, more projects are in the pipeline, and more exemptions may be applied in the future. The recent guidance document developed under the Common Implementation Strategy<sup>4</sup> on the application of this exemption should help to improve its application in the next cycle.

*Protected areas:* Additional efforts are still required to ensure appropriate protection and management (drinking water, nature, shellfish production areas, bathing waters, etc.).

In summary, despite all the significant improvements in water management and water quality across Europe, the Commission's preliminary assessment shows that water management should be reinforced at all levels. This is not a matter of water quality above all else – it is a matter of planning and investing in such a way that water quality improves, but with due attention to all possible uses, whether for drinking, nature, agriculture, energy production, transport or other purposes.

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<sup>4</sup> <https://circabc.europa.eu/w/browse/3eaafe7c-0857-47d4-a896-8022df48d3ba>