



General reflections on European water policies

The AK's position

The declared aim of the EU Water Framework Directive (WFD) is to protect water resources in Europe in the long term and to improve the condition of waterbodies in Europe.

AK supports the aims of the Water Framework Directive 2000/60/EG to prevent deterioration, protect and enhance aquatic ecosystems, promote the sustainable use of water, as well as secure and improve water resources in Europe. The WFD stipulates that all waterbodies in the EU must reach a good ecological and chemical condition by 2027 and that flowing water, springs, lakes and groundwater have to be protected from ecological deterioration.

From the point of view of AK, the WFD and its related legislation, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC, provides effective instruments to ensure the long-term protection of waterbodies. This will preserve water as a public good for coming generations and protect it against pollution. So far, these Directives have proved to be excellent examples of effective, flexible and modern legislation. Where they have been implemented in a professional manner, significant improvements in the quality of water were achieved. We see no need for any discussion on the objectives and individual measures of the WFD.

In our opinion, also Directive 2007/60/EC on the assessment and management of flood risks has proved itself sufficient. Flood hazard maps enable a great assessment possibility of regions at risk and priorities to be set regarding the necessary measures to protect these regions against flooding.

The WFD requires the improvement for all waterbodies which are currently not in good condition. Through the renaturation and dismantling of no longer needed cross-river, water management and river bank structures stretches of water are upgraded in an ecological sense and nature preserves its habitat. With restrictions in cultivation groundwater quality can be improved and the deposition of nitrate, pesticides, and other substances can be reduced. The WFD aims to improve aquatic ecosystems and also the overall water quality.

These successes would be put in jeopardy if the Directive were to be renegotiated. The WFD already offers enough scope for adaptation at the national level and also for any technical adjustments dictated by practical experience. In fact, one gets the impression that those who are demanding the Directive be amended wish to lower protection standards or delay their implementation by decades.

The AK sees the risks that the current high standards could be watered down or circumvented if the WFD were to be reviewed. As the report of the EEA¹ shows, some European Member States are still in the initial phase of implementing the WFD. The failures and shortfalls of EU Member States in preceding years should not be used to justify them to not achieve objectives. Austria's experience shows that the WFD is in itself a good instrument to protect water as a resource. It leaves sufficient scope for national action in its implementation. Therefore, AK argues that the WFD is "fit for purpose" for the comprehensive and preventive protection of waters. It has to be retained in its current form in the interest of water as a public good and public service.

In the opinion of AK, the following points are essential in order to support the aims of the WFD:

More coherence with other EU legislation

At the EU water conference in Vienna in September 2018 the lack of coherence of EU water policy with other EU policies was clearly highlighted. EU legal acts must not compromise the protection of water resources which are the main aim of the WFD but must help to achieve its goals. Accordingly, the report of the European Environment Agency on the state of European waters¹ considers measures in the sectors of agriculture, energy and transport as necessary in order to achieve the aims of the WFD.

Agriculture is mentioned as the main reason why groundwater is not yet in a good chemical condition. It causes extensive pollution through nitrates and pesticides. In the future, legal measures in the field of agriculture (e.g. Common Agricultural Policy), or chemicals (Pesticides Directive), should be formulated in a way that they do not have any negative impact on aquatic ecosystems. On the contrary, they should be supported by a coherent policy so that the aims of the WFD regarding water protection can be achieved.

A particular challenge will be to harmonise the ecological objectives of the WFD with the aims of climate and energy policy. The expansion of renewable energy sources is necessary to achieve the goals of climate and energy policy, which will, in part, be done by expanding hydrological power.

Maintain preventive groundwater protection

In Austria, 100% of the drinking water is obtained from springs and groundwater. According to the Austrian Water Act, groundwater and spring water must be kept clean so that it can be used as drinking water. Drinking water has to be so clean that it can be supplied to people in drinking water quality without any preceding treatment necessary. Therefore, water as a public good for the extraction of drinking water must be protected against any pollution. We need clear political instructions so that the protection of water quality and water protection itself takes priority over depositions from agriculture, industry and other sources of pollution and do away with end-of-pipe solutions. In the process for the approval of new chemical substances their impact on water as a resource must always be taken into consideration.

European citizens' initiative "Right2Water"

The first successful European citizens' initiative Right2Water was signed by 1.8 million people across the European Union. One of its demands was access to water for all as a human right to be implemented in European law. The EU Drinking Water Directive is currently being renegotiated at the European level. The aim is to implement some of the demands of Right2Water and improve people's access to drinking water. The WFD should determine Member States' duty to notify people who currently have no access to water to compile better data which provides the basis for future measures.

"Polluter pays" principle should be applied comprehensively

In order to protect water resources against pollution of any type (agriculture, industry, transport, energy), the "polluter pays" principle should find greater application in EU legislation in general. The costs for the protection of drinking water resources and their treatment should not be borne by water suppliers or consumers. Instead the "polluter pays" principle should be applied and pollution prevented where it is caused.

Financing water protection

Measures to improve water as a resource are always accompanied by costs. Therefore, the future EU budget should take this into account as well as financial aid to improve water quality and the necessary investments which should be provided by the EU budget. Aid for the protection of waterbodies must also be included in the Common Agricultural Policy.

Better communication of improvements

Water quality has improved significantly thanks to the measures stipulated in the WFD. Special mention should be made here of actions taken by the energy sector in order to improve water quality in rivers. We also want to refer to statutory measures to protect groundwater, such as the regional groundwater protection programme Grazer Feld, Leibnitzer Feld and Unteres Murtal (Regional Law Gazette LGBl No 39/2015, updated version LGBl 23/2018) with the aim of reducing nitrate depositions in groundwater.

However, improvements can often only be seen through close examination due to the "one-out-all-

out” principle. Achieving a good ecological condition is measured against various components and parameters. The component with the worst value is decisive for assessment of the state of the water: this is how the “one-out-all-out” principle works. Therefore in many waterbodies individual components and parameters have improved due to the measures implemented, but the overall unsatisfactory ecological condition has not changed. Better communication is needed in order to show the improvements of waterbodies as a result of measures implemented in the future. A common communication strategy would be necessary, including the goal of highlighting the improvement of individual components. However, the “one-out-all-out” principle should be retained, and the objectives pursued more consistently overall.

Information for the public

In our opinion the public water supply and water management in municipalities and water boards operates in a sustainable manner. Responsibilities are clearly defined. All water-related data, in particular data on groundwater quality and flood hazard maps, are available from the authorities, most of them online.

Water in public hands

The water supply in Austria has been managed by public authorities from time immemorial and has been well organised for many years. Consumers are very satisfied with the high quality of drinking water and their water supply. The public is also aware of the issues related to quality and quantity of water, both of process water as well as surface and groundwater. Security of supply for consumers, industry and agriculture will play an increasing role as a result of climate change. Particularly with regard to security of supply and climate change it is essential that water agencies remain under the umbrella of public authorities. If conflicts occur about for example the utilisation of water resources, the supply of drinking water must take priority. In the interest of water as a public good and service of public interest, provisions must be made that the precious good water remains in public hands for the future: any liberalisation and privatisation trends must be nipped in the bud. The water supply in Austria functions perfectly, therefore inspections of water and water resources must remain the domain of public authorities for the future.

Planning period

In its report “European waters – Assessment of status and pressures 2018”¹, the European Environment Agency stated that 40% of waters across the EU have reached a good ecological condition or a good ecological potential relative to the aims of the WFD. It is very probable that not all the aims of the WFD will be reached for all waterbodies by 2027. It is understandable that waters which have been polluted or obstructed over years cannot be improved so quickly. Firstly, because restoration measures are associated with significant costs and, secondly, because the experience from the first management plans has shown that biocenosis and environment respond more slowly than was previously assumed. Therefore, the planning period should be extended, without opening up the WFD and harmonising high standards at a lower level. The possibility of granting exceptions in accordance with Article 4 of the WFD, if it is foreseeable that the objectives cannot be achieved in the time stipulated, should only be applied in exceptional cases.

Footnotes

- 01 European Environment Agency (EEA): European waters Assessment of status and pressures 2018, Report 7/2018. <https://www.eea.europa.eu/publications/state-of-water>



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About us

The Austrian Federal Chamber of Labour (AK) is by law representing the interests of about 3.8 million employees and consumers in Austria. It acts for the interests of its members in fields of social-, educational-, economical-, and consumer issues both on the national and on the EU-level in Brussels. Furthermore the Austrian Federal Chamber of Labour is a part of the Austrian social partnership. The Austrian Federal Chamber of Labour is registered at the EU Transparency Register under the number 23869471911-54.

The main objectives of the 1991 established AK EUROPA Office in Brussels are the representation of AK vis-à-vis the European Institutions and interest groups, the monitoring of EU policies and to transfer relevant information from Brussels to Austria, as well as to lobby the in Austria developed expertise and positions of the Austrian Federal Chamber of Labour in Brussels.