



for a living planet[®]

Water Framework Directive implementation 2000-2009: Role and strategies of the environmental NGOs

Report 2010

WWF-EPO / Sergey Moroz



Photo front page: WWF-Norway / Rasmus Reinvang

This paper has been prepared on request from WWF Norway and aims to outline the involvement of the environmental NGOs with particular focus on WWF and European Environmental Bureau in the implementation of the EU Water Framework Directive at Brussels, national/Member State and/or river basin level.

Published by: WWF-Norway

Publishing date: 15.03.2010

Author: Sergey Moroz, Water Policy Officer, WWF European Policy Office

Editor: Ingeborg Wessel Finstad, Biodiversity Officer, WWF-Norway

The publication is supported by: Directorate for Nature Management

WWF-Norway, Kr. Augustsgate 7A, Pb. 6784, St.Olavsplass, 0130 Oslo, Norway

All WWF publications are available at www.wwf.no

Content

1. Introduction
2. Brief description of the EU Water Framework Directive
3. Involvement of the environmental NGOs with the Water Framework Directive
4. Current state of play and initial analysis of the results
5. Lessons learned
6. Next steps

1. Introduction

Water protection is one of the European Union (EU)'s oldest environmental policies. There are over twenty pieces of legislation to protect surface water and groundwater from human activities, setting water quality standards, and requiring pollution abatement techniques and emission controls for a variety of water uses and activities.

Despite this impressive legislative body, the integrity of EU's waters is far from acceptable. Many of the relevant EU laws have not been properly implemented or enforced, and the objectives of other EU policies, including on industry, agriculture and transport, are often in open contradiction with the 'water protection' objectives.

The Water Framework Directive (WFD) provides a new chapter for EU water policy – it consolidates existing laws, adds new environmental instruments and management tools and, most importantly, gives general ecological objectives. For decades, interest groups and academia have demanded that environmental policies are oriented towards the environment's 'carrying capacity', the proper and long-term functioning of ecosystems and maintenance of biodiversity. Decision makers finally enshrined this in the EU legislation and started a reform of water management which is still ongoing. Since its adoption, and despite a number of serious shortcomings, WWF and EEB have believed the WFD to be an improvement in EU water policy as it focuses on meaningful outcomes, and thus encourages authorities to work to turn the words of the legal text into day-to-day water management decisions.

However, due to complexity of the water situations in the EU, the WFD is a general 'framework', which sets the goals, deadlines and the process, but leaves the key decisions on specific objectives and measures to achieve them to the Member States. This means that a lot of the key decisions on the WFD implementation were taken after the directive was adopted in 2000. In addition, considering EU's poor track record on the enforcement of the environmental legislation, and recognising the important provisions in the WFD for public participation, WWF and EEB believed it was important to get closely involved in the implementation process.

2. Brief description of the EU Water Framework Directive

The WFD has been in force since 22 December 2000. Its purpose is to establish a framework to protect all waters (inland surface waters, transitional waters, coastal waters and groundwater). Under the Directive, Member States are obliged to prevent further deterioration and to enhance and restore the status of aquatic ecosystems as well as terrestrial

ecosystems and wetlands that directly depend on aquatic ecosystems. Its aim is to achieve 'good ecological and chemical status' by 2015.

This is the first time an EU Directive has addressed not only the chemical aspects of water protection but also its ecological aspects, such as flow regime, composition and abundance of aquatic organisms, etc. This means, for example, that the WFD will help rivers to be, and function, like rivers, instead of being mere transport canals, as they have become in many parts of Europe. To do so, the WFD uses the river basin, i.e. the geographic area that drains all surface water to a single point, as its functional unit. The Directive thus promotes integrated river basin management as the most efficient way to achieve sustainable water use. This, in turn, requires coordinated planning for using land and water resources within the entire basin covering all surface, coastal and ground waters as well as land-use activities.

The 'precautionary principle' and the 'polluter pays principle' from the European Treaty are enshrined in the WFD, which promotes the sustainable use of water resources based on long-term protection, including the use of tools such as water pricing policies. The Directive requires that Member States progressively reduce discharges, emissions and losses of priority substances and stop or phase-out priority hazardous substances. The WFD asks to reduce groundwater pollution and to prevent further pollution. Its implementation should help to mitigate the effects of floods and droughts.

The Water Framework Directive deals with three central elements of the aquatic ecosystem.

- The quality of water, which can be threatened by anthropogenic pollution, including from industrial chemicals (fertilisers, pesticides), urban or industrial wastewater (detergents, surfactants, pharmaceuticals, PAHs), or cooling water from power generation, etc.
- The quantity of water (the volume and flow – hydrological regime), which can be threatened by abstractions, drainage, dredging, canalisation, damming, and polders for all kinds of human activities, such as for power generation, transport, industry and agriculture.
- The aquatic habitat (morphology of rivers, lakes and coasts – including sedimentary structure and composition – meandering of rivers, etc.), which can be threatened by intensive land use, soil erosion, and infrastructures for the activities listed above.

Quality, quantity (including timing) and habitat are equally important and interdependent factors in achieving 'good ecological status', i.e. that which is necessary to support an aquatic biodiversity close to undisturbed conditions, all water-dependent ecosystems and all legitimate human water uses.

Member States must identify each river basin lying within their national territory and assign them to individual River Basin Districts (RBD), which are the units for all planning and management actions. River basins covering more than one country have to be assigned to an international RBD. Their management will require close co-operation between the authorities of the countries concerned, regardless of whether all of these belong to the EU.

A River Basin Management Plan (RBMP) and Programmes of Measures (PoM) must be produced for each District. This is the key planning document for each individual RBD and sets out the specific objectives and the measures to achieve them. The RBMPs must be

adopted by end of 2009 and must be reviewed in 2015, and updated every six years after that. The RBMP links the WFD and the water-related requirements of other Community legislation, including the Birds Directive, the Habitats Directive, the Nitrates Directive, the Urban Wastewater Treatment Directive, the Environmental Impact Assessment Directive, the Strategic Environmental Assessment Directive and the Drinking Water Directive. The WFD also aims to streamline Community water policy and, as a result, some of the previous Directives (including those on groundwater protection and discharges of dangerous substances) will be repealed in 2013. In addition, new daughter legislation on groundwater and priority substances as well as flood risk management have been adopted since 2000 and their implementation is closely coordinated with the WFD.

The Directive sets out a series of obligatory tasks, each with a strict final deadline, which will help to achieve the overall objective of 'good status'. In many cases these tasks alone are not sufficient to achieve 'good status' and must be complemented with others at the national, regional and local level.

Key implementation tasks that Member States need to take under the WFD:

- To identify the individual river basins lying within their national territory, assign them to individual river basin districts (RBDs) and identify competent authorities by 2003 (Article 3, Article 24).
- To characterise River Basin Districts in terms of status quo, pressures, impacts and economics of water uses and produce a register of protected areas within the River Basin District, by 2004 (Article 5, Article 6, Annex II, Annex III).
- To carry out, jointly and together with the European Commission, the intercalibration of the ecological status classification systems by 2006 (Article 2 (22), Annex V).
- To start operating the monitoring networks by 2006 (Article 8).
- To monitor and analyse the river basin's characteristics in order to identify a programme of cost-effective measures to achieve the WFD's environmental objectives by 2009 (Article 11, Annex III).
- To produce and publish River Basin Management Plans (RBMPs) for each RBD including designating heavily modified water bodies, by 2009 (Article 13, Article 4.3).
- To implement water pricing policies that enhance the sustainability of water resources by 2010 (Article 9).
- To put the programme of measures into operation by 2012 (Article 11).
- To implement these measures and achieve the environmental objectives by 2015 (Article 4)

In addition, the WFD has a cyclical character, by which there are 2 more planning cycles planned after 2015 that have similar steps and are based on the achievement of the previous planning cycle. (Figure 1).

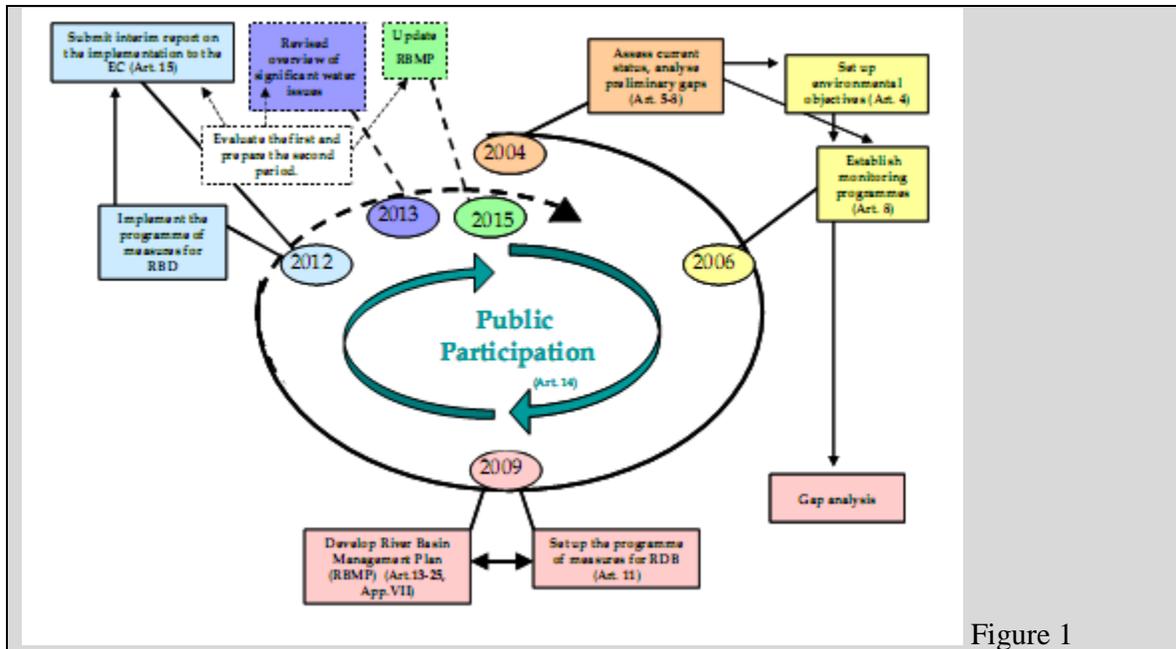


Figure 1

Implementing the WFD is a complex and long-term process, which requires Member States to co-operate with their neighbors (especially in the area of transboundary RBDs that extend beyond the Community’s territory) and between different administrative units and policy sectors. The EU Member States, and the European Commission have indeed recognised that the Directive was very complex and posed many challenges, and in May 2001 they jointly decided to develop a Water Framework Directive Common Implementation Strategy (WFD CIS). Its purpose has been to ensure that Member States gain a common understanding of the Directive and its requirements, share experience and expertise between Member States on how to develop some of the Directive’s tasks and to develop non-legally binding, practical guidance documents on various technical issues of the Directive, putting forward the ‘best practices’ to resolve them. WWF and EEB were among the first stakeholder to join the process in 2001 and are the only 2 environmental NGOs currently involved.

3. Involvement of the environmental NGOs with the Water Framework Directive

The involvement of the NGOs in the EU policy making is not new and a number of environmental NGOs such as EEB, Birdlife, RSPB, WWF recognized the opportunities that the EU reform of the water management presented and have been among key stakeholders involved in the preparation, adoption and implementation of the WFD and related legislation. The main activities have happened in a coordinated way both at Brussels and national level and the main NGO strategies have mainly aimed to

- shape the WFD as well as other relevant legislation
- influence the implementation decisions and priorities
- use public participation provisions to influence the river basin management planning
- monitor the implementation, assess its quality and push for proper enforcement
- promote integration of the WFD environmental objectives into other sectoral policies
- use WFD provisions to fight obstacles and threats to specific places and habitats
- build capacity, act as a catalyst, build partnerships

The examples below are some of the activities WWF/EEB undertook in the framework of these strategies.

WFD adoption

- The WFD was developed over most of the 1990s and had a difficult birth when it was finally adopted in December 2000. WWF got closely involved in 1998.

How:

Main focus of the activities was on lobby/advocacy vis-à-vis EU institutions, particularly European Parliament, but also in close cooperation with other NGOs in Brussels and national capitals. WWF and EEB also organized a number of expert workshops involving key decision makers to advocate some of the NGO ideas on the new directive. WWF / EEB also actively contributed to the conferences/events/stakeholder consultations organized in the run up of the WFD adoption (e.g. Lisbon conference on water pricing).

Results:

The compromise final text of the directive has been substantially weakened by the Council, but still contained a number of WWF/EEB advocated components, e.g. environmental objectives as obligation, phase out of hazardous chemicals, water pricing.

Influence the implementation decisions and priorities

- In parallel to trying to influence the adoption of the WFD, WWF also looked ahead to the implementation stage, since there was a need to identify and develop tools and approaches for effective river basin management and to develop dialogue between various sectors.

How:

This process was started through establishing EC cooperation and funding for a joint seminar series on the key WFD issues “agriculture and water”, “the role of wetlands”, “good practice in river basin management” which resulted in the publishing of non-statutory guidance materials for river basin managers.

Results:

This helped establish working relationship with key officials, helped increase awareness on certain provisions of the WFD, and involved other water stakeholders. 1st guidance document for the river basin managers was developed (based on the outputs of the 3 seminars) and from the feedback we received was considered very useful at the early stages of the WFD implementation.

- In 2001, the WFD Common Implementation Strategy was set up with the main aim to agree on common understanding of the Directive and its requirements, share experience and expertise between Member States and to develop non-legally binding, practical guidance documents on various technical issues of the Directive. During the first phase of

the CIS in 2001-2004, 13 such guidance documents have been produced in cooperation between Member States, European Commission, stakeholders and NGOs.

How:

Only two environmental NGOs, the EEB and WWF participated in the WFD CIS process. The two organizations have been closely involved both at the political level, by participating in the Strategic Coordination Group, and at the technical level. EEB members and experts and WWF national or programme offices were part of some of the technical Working/Drafting Groups, and followed the relevant drafting of the guidance documents and tried to influence their development.

Results:

We welcomed the development of the guidance documents as a good starting point and promoted their application should be used widely. However, not all the recommendations from these guidance documents are easily understandable nor are they very ambitious. Some recommendations are insufficient to achieve the WFD objectives. Critical use of the guidance documents is essential – they are not blueprints. Our involvement in the WFD Common Implementation Strategy process, however, has been worth the effort, as it has provided us with a wealth of information and an in-depth understanding of the WFD. It has also showed us some of the problems Member States would face. We have also produced a guide to explain the official European guidance in order to encourage environmental NGOs and other interest groups to be active in making Europe's most ambitious and challenging water law work.

Brief description of the Guidance Documents produced between 2001-2004

1. Identification of water bodies: Provides a common understanding of the definition of water bodies and gives specific practical suggestions for identifying water bodies under the WFD. Water bodies are the key operational units to which a number of the Directive's requirements are related and to which the environmental objectives apply. The way they are defined is fundamental to the entire WFD implementation process and to assessing its compliance - making this a crucial guidance document.
2. Public participation in relation to the WFD: Explains how to implement public participation in the broader context of the development of IRBM planning as required by the WFD.
3. Wetlands: Wetlands are not fully covered or dealt with under the definition of water bodies nor are they specifically defined elsewhere in the WFD. However, wetland functions will play a key role in achieving the WFD's 'good status' goal. This guidance explains what wetlands are and lays out a common understanding on how to integrate wetland functions into WFD implementation.
4. Analysis of pressures and impacts (IMPRESS): Develops a common understanding of the information needed to identify significant human pressures on surface and ground waters, within the designation of water bodies, in order to assess their likely impact on water status.
5. Identification and designation of Heavily Modified (HMWB) and Artificial Water Bodies (AWB): The WFD allows a specific derogation from its 'good ecological status' objective for certain water bodies where there have been substantial physical alterations to provide for some specific water uses. These bodies only need to reach

- ‘good ecological potential’, but they still need to achieve ‘good chemical status’. This guidance document explains how to identify and designate HMWB and AWB and establishes the basis for classifying their ecological potential.
6. Reference conditions and ecological status class boundaries for inland surface waters (REFCOND): Identifies reference conditions and the boundaries between ‘high’, ‘good’, ‘moderate’ status etc, in lakes and watercourses. The reference conditions of a ‘high status’ water body are the baseline for classifying all water bodies.
 7. Typology, reference conditions and classification systems for transitional and coastal waters (COAST): Explains how to differentiate transitional and coastal waters into types, produce descriptions of reference conditions and develop frameworks for classifying the ecological status of coastal and transitional waters.
 8. Ecological classification: Summarises the overall ecological classification rules provided by the REFCOND, COAST, HMWB/AWB monitoring and guidance documents and tries to solve issues, such as how to use physico-chemical parameters for ecological classification, and how to combine / aggregate quality parameters and elements. Further, it sets out an approach on how to deal with uncertainty in the ecological classification.
 9. Intercalibration: Gives guidance on the intercalibration exercise that Member States and the European Commission need to carry out to ensure that ecological status classifications are in line with the WFD, comparable and consistent across the EU Member States.
 10. Economics and the environment (WATECO): Gives detailed guidance on how to carry out an economic analysis of water uses in river basins by 2004, an economic assessment of potential measures for reaching ‘good water status’ and an assessment of ‘water services’ recovery costs.
 11. Planning process: Informs practitioners about the issues and activities to be organised and coordinated during the planning process and provides guidance on how to produce and develop River Basin Management Plans.
 12. Monitoring: Develops a common understanding of what is required when monitoring WFD implementation and how to go about it.
 13. Geographical Information Systems (GIS): The WFD’s reporting obligations require that a substantial part of the information is sent to the European Commission in Geographical Information System (GIS) format. This guidance document explains how to do this and the system’s technical requirements.

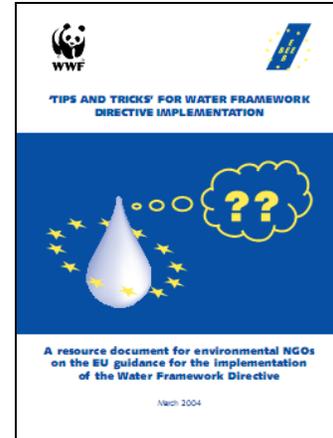
- After 2002 the main focus has shifted from Brussels to national/river basin level after the directive was transposed into national legislation and key decisions were taken in national capitals. The activities in Brussels mainly focused on continuous engagement in the WFD CIS process and building capacity of the local NGOs so they could meaningfully engage in the implementation process at their level through improved information exchange and training workshops. WWF and EEB also developed a critical analysis of the guidance documents and made recommendations how NGOs can improve/work with them.

How:

There were various levels of engagement depending on the process set up in each Member State, but in most cases NGOs were involved through working groups or advisory panels set up by the authorities to help with the implementation of the WFD often following or building upon the EU guidance documents.

Results:

This helped to establish good working relations with the authorities, understand the situation and contribute to the process with NGO expertise.



- The next phase of the CIS moved from developing technical guidance documents to sharing experiences, finding common agreement on the basis of experiences that Member States had and finding common understanding on a number of “conflicting” issues such as application of exemptions from the WFD objectives or how to reconcile the need for development of the renewable energy/hydropower with WFD requirements on hydromorphology.

How:

Similar as before, WWF and EEB engaged both at political level through the Strategic Coordination Group and ultimately Water Directors, as well as through technical drafting groups. We also used the CIS process to further establish the dialogue with other stakeholders and increase their understanding of the WFD and promote a truly integrated water management. At times this felt very frustrating, as from pro-active approach by looking forward, this phase was mainly characterized by the need to defend the WFD and previously agreed principles. The main focus has been at the national level.

Results:

A number of CIS outputs reflect WWF/EEB ideas, case studies and positions. It remains to be seen to which extent the guidance and policy papers produced during this stage help ambitious WFD implementation, but at the time this was the only process open to us to promote WFD implementation vis-à-vis other economic sectors and trying to prevent minimalistic interpretation of the WFD by Member States.

Brief description of the Guidance Documents and policy papers produced between 2004-2009

1. Intercalibration 2008 – 2011 – reflects the agreement to continue intercalibration exercise after the date required by the WFD due to serious lack of data on a number of quality elements
2. Groundwater monitoring and assessment – a series of guidance documents to enable implementation of the daughter directive on groundwater adopted in 2006
3. Exemptions – guidance on how to correctly apply the provisions of the article 4 of the WFD on exemptions

4. River Basin Management in a changing climate – the latest in the series of the guidance documents and already looking at the 2nd cycle of the WFD implementation on how to integrate climate change impacts in the river basin management planning
5. Policy paper on WFD and Hydromorphology and document containing best practice examples to tackle hydromorphology
6. A series of reports and conclusions from various conferences and workshop to share the experiences e.g. on hydropower, exemptions or agriculture

- The next phase of the WFD CIS 2010-2012 is mainly focused to support the implementation of new legislation such as flood risk management directive, finalise intercalibration exercise and mainly exchange information through expert groups and targeted workshops.

Use public participation provisions to influence the river basin management planning

Many NGOs in addition to contributing to the implementation process through advisory/working groups, also used public participation to influence draft and final river basin management plans. There were different approaches applied in different countries, below are just some of the examples:

- In the UK, the focus has been made on building capacity of local NGOs, angling associations and other partners to engage in public consultations locally. They also build a very successful coalition that developed “Blueprint for Water”, with clear demands to the authorities and tracked the progress at <http://www.wcl.org.uk/blueprintforwater.asp>. The coalition has also been running a campaign on UK rivers <http://www.ourrivers.org.uk> in order to encourage involvement in the consultations
- In the Danube, WWF and other NGOs have actively contributed to the official implementation process led by the International Commissions for the Protection of the Danube River with expertise, studies such as on floodplain restoration potential, or expertise for sturgeon conservation, which are all reflected in the final plan.
- Overall, according to our latest survey, NGOs found that participating in the working groups was the most effective platform to influence the planning as it provided opportunity to discuss problems, solutions and find compromises on competing interests. In addition, written submissions and reports were seen as effective. Open public meetings were judged to be less effective, but important to reach general public

There are also many examples, where NGOs failed to influence the draft and final plans, or were lost in technical information provided or found lack of transparency and influence in the process.

Monitor the implementation, assess its quality and push for proper enforcement

- This is one of the strategies we continuously implemented at Brussels level in order to understand what is happening on the ground, compare the progress in different Member States and influence the enforcement priorities of the European Commission. The assessments were usually done on the basis of the survey among the NGOs who

contributed the information concerning their river basin, which we then analysed, compared and drew some recommendations.

Assessment	Scope	Key findings
2004 survey of NGOs involved in WFD implementation across EU	Quality of transposition	<ul style="list-style-type: none"> • Very low level of NGO participation • Poor transposition, 50% of the surveyed countries do not state clearly the WFD overall objective to achieve good status by 2015 in their transposition legislation
2005 survey of NGOs involved in WFD implementation across EU	Quality of transposition and early implementation	<ul style="list-style-type: none"> • NGOs have high expectations on what WFD can deliver • Quality of WFD transposition is low • Improvements noted in quality of public participation • NGOs generally have insufficient capacity to fully participate in WFD implementation • Governments and authorities are reluctant to value and seek NGO participation in technical work
2006 survey of NGOs involved in WFD implementation across EU	Assess first major milestone under the WFD - environmental and economic analysis of the situation (art 5 reports)	<ul style="list-style-type: none"> • Economic analysis does not integrate environmental concerns, fails to address key sectors that cause environmental degradation • Often fails to consider environmental and resource costs and shed light on financial flows • Guidance document on economics largely not followed ► Wide diversity in definitions, content and focus, largely influenced by past practices, organisational set-up, absence of experience and limited expertise in water economics • “Water Services” definition too narrow in many cases – has serious implications • Participatory approach rather an exception
2008 survey of NGOs involved in WFD implementation across EU	Assess quality of the public participation during consultation on significant water management issues	<ul style="list-style-type: none"> • Sluggish attitude of authorities towards public participation – only EU reporting requirement work • NGOs have clear expectations and are not satisfied • Significant Water Management Issues\; arbitrary selection and main pressures

		<p>are not represented</p> <ul style="list-style-type: none"> • No clear picture on measures yet • A clear call from the NGOs: floodplain and river restoration including dam removal where appropriate
--	--	---

This primarily helped us to understand the state of play in the WFD implementation, assess and compare ambitions and quality among different Member States, identify issues of common concern and follow up with the European Commission services on their enforcement plans as well as submit strategic complaints.

Promote integration of the WFD environmental objectives into other sectoral policies

- Under the WFD, river basin management planning affects land-use and other planning cycles (and vice versa), such as the Rural Development Regulation (second pillar of the Common Agricultural Policy - CAP) or the use of Community Regional Funds. Because different planning cycles under different Community policies/instruments should be coherent, they will have to be integrated into the WFD implementation process, as measures to implement the Directive could be financed by these other policies. The WFD's River Basin Management Plans can and should provide the basis for increased policy coherence and integration. It is crucial that they are used to promote opportunities for sustainable water management in sectoral (e.g. cross-compliance in agriculture) and structural policies (e.g. allocation of funds to regional development initiatives that contribute to meeting WFD objectives).

How:

We have tried to influence the guidance and reviews of these policies, developed manuals for practitioners on how they can contribute to the WFD. On national/river basin level, there are a number of demonstration projects that tried to influence the national decision makers..

Results:

Water management and WFD are recognized as important issues to be addressed, CAP review, even though disappointing, has nevertheless introduces special provisions for buffer strips and obligatory authorization of water abstraction by farmers as part of the cross compliance.

Use WFD provisions to fight obstacles and threats to specific places and habitats

- The WFD provisions were used as part of the integrated campaigns to stop/re-direct damaging infrastructure in WWF priority places, including Spanish National Hydrological Plan, Niezawa dam on Vistula, Danube navigation plans etc.

How:

Policy work has been integrated as part of the WWF campaigns against these damaging projects. The link to EU policies has been made explicitly in each case including WFD no-deterioration provisions or EU funding.

4. Current state of play and initial analysis of the results

2009 is a crucial year for WFD implementation, the year when river basin management plans are to be finalized after 7 years in the making. However, the effectiveness and real results of the WFD could be assessed if the objectives of the directive were achieved in 2015. Currently, we can assess the intentions and potential of the plans.

According to our latest assessment in 2009 of the draft River Basin Management Plans (dRBMPs) the situation was not clear. On the one hand, the WFD has set in motion a unique water management reform process. Across the EU, governments have engaged in one of the biggest, most coordinated consultation exercises ever on plans to restore the ecology of our river basins by 2015. Our survey-based assessment has confirmed that a mobilisation for reform has taken place in most river basins. At the same time significant parts of Europe are seriously lagging behind at government and civil society levels.

On the other hand, the governments, which are on track with the consultation, have serious problems in managing the open, integrated and politically demanding approach set out by the WFD.

1. Transparent and publicly owned water management:

Opening up of water management has not yet happened. River Basin Management Plans mostly do not reach the wider public. Only few countries really tried to do so, like in France, which resulted in 400,000 responses to the consultation from citizens. The involvement of organised stakeholders has not been easy either. In many cases RBMPs remain obscure: information is missing or inconsistent. We identify a systemic mismatch with what information is provided and what would be relevant for decision-making. Only a few RBMPs provide information on the restoration objectives for surface waters but in many cases authorities already suggest extending the 2015 deadline or setting lower objectives.

Water status information is largely accessible online but very little information is provided about possible restoration measures and their appraisal. Many NGOs actively tried and keep on trying to contribute and influence the RBMPs but often are frustrated by the lack of progress.

2. Reducing wastage and using water well:

Falling groundwater levels are planned to be tackled but reducing water wastage is still a low priority. The picture is relatively positive for groundwater where the measures proposed in the draft RBMPs to halt and reverse falling groundwater levels are mostly judged by NGOs to be effective. However, authorities and governments are yet far from grasping the importance of overall minimising abstractions in order to restore and maintain aquatic

ecosystem services. General water saving objectives are only established in few draft RBMPs. In conjunction with the water pricing measures which neither target the big water users, like agriculture, nor are designed to incentivise more efficient water consumption it is unlikely that significant reductions in water use will be achieved.

3. More space for rivers:

The issue is emerging in many river basins. The signs are good that more space might be created for rivers. Improving river ecology is not possible without more space. This should include food management solutions, which allow rivers to have more space for flooding, and are often cheaper and more effective. Despite this positive development we still note a lack of firm targets, like the area or km of restored floodplains or wetlands, against which measures can be checked, as well as negative developments in basins where rivers still have some space which is threatened by unsustainable developments, mainly in Central, Eastern and Southern Europe.

4. Healthy, safe water for people and nature:

Pollution controls are established, but unclear whether sufficient. Traditional pollution control and chemical quality standard setting is continuing and is seen as effective in delivering the limited objectives they were designed for, although the scope of the proposed measures is still unclear and the generous use of exemptions is a cause for concern. But as long as we don't understand the impact of chemical cocktails and subtle effects like hormone interference, this is inadequate. With monitoring of biological indicators and stricter objectives for protected areas coming into place new pollution reduction will be required, including phasing out emissions of hazardous substances via upstream and product controls – a challenge for water management that has yet to be faced.

5. Visionary and adaptive water policies:

Lack of vision is evident. In general draft RBMPs lack the vision for adapting and working with a changing environment. Many draft RBMPs often follow outdated approaches of working against the rivers, reducing space and water, in order to satisfy ever growing demands in the field of energy, transport, housing and agriculture. These demands are often stated as a general overriding public interest, without any further discussions or assessments. While environmental NGOs favour a switch to renewable energy production, including hydropower, this should not be done if this risks losing important ecosystems and habitats and without assessing better environmental options like reducing energy consumption. Closely related policies, like food risk management, are not always integrated with the draft RBMPs. Climate change is often dealt with in a reactive manner instead of proposing pro-active strategies to increase resilience of ecosystems and societies.

5. **Lessons learned**

- Overall, the WFD created high expectations, but it is not clear whether it will deliver. Our initial analysis of the plans confirmed that in many cases they lack ambition to change business as usual. The Common Implementation Strategy seems to have failed to deliver

consistency and comparability across Member States. On the other hand, this is the best legal tool we have, so it is important to establish realistic objectives and expectation from the NGO side.

- The first cycle will not deliver the WFD ambitious objectives fully, it seems its main aim is to show WFD approach can work. Significant improvements should be made during the second planning cycle on the basis of much better information, lessons learned from the 1st cycle and hopefully stronger political will.
- It is important to balance the need to be involved through technical processes, with the need to influence politicians. In the end, they are the ones who are making final decisions on ambition, allocation of resources or politically difficult trade offs. It's easy to get caught in consultations and technical meetings, but it is the real improvements in our rivers and lakes that really matter.

6. Next steps

The European Commission has started to review the implementation of the WFD and assess the quality of the River Basin Management Plans. By the end 2012 and EU Blueprint for Water Policy will be presented based on the review of the WFD implementation, review of the EU Water Scarcity and Drought Policy as well as review of the EU adaptation policy as related to water management. In addition EU's budget review including CAP provide a unique opportunity to better reflect water protection objectives.

The WFD implementation at the river basin level moves from planning to action. Plus the preparation for the 2nd planning cycle are about to begin with the art 5 assessment report due in 2013.



for a living planet[®]

WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by:

- conserving the world's biological diversity
- ensuring that the use of renewable natural resources is sustainable
- promoting the reduction of pollution and wasteful consumption

WWF-Norway

Kristian August gt 7A
P.O box 6784
St Olavs Plass
NO-0130 Oslo

Tel: +47 97 18 33 79