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Non-paper 'reporting progress' WFD

Supported by: The Netherlands, Austria, Germany, Denmark, Finland and Luxembourg

The Commission launched a proposal for a Directive amending the Water Framework Directive (WFD), the Groundwater Directive and the Environmental Quality Standards Directive (October 2022). At the end of 2023, under the Spanish Presidency, the members of the WPE held informal VTCs, to discuss the Presidency's suggestions to modify the Commission proposal. Experience with the current WFD shows that it is not possible to show progress with the current reporting mechanism, although it is clear that the water status has improved since the adoption of the WFD. The sole indicator designated in the WFD, based on the one-out-all-out-principle (ooao-principle), is not suitable for this objective. To make sure that additional progress indicators will be used in the future and in a uniform way, it is needed to include these indicators in the WFD.

The Commission proposal adds new chemicals and environmental quality standards, making it even more difficult to show progress under the ooao-principle. Therefore, it is legitimate to discuss alternative means of presenting the results of monitoring at this moment.

As a general principle, we emphasize that we support the overall ambition of the WFD and the related directives. We do not aim to lower that ambition, nor an overall revision of the Directives. The assessment of the status of the water bodies is based on the ooao-principle. Aiming at getting all parameters in good status, should remain the ultimate goal of the directive. Both for the ecological and the chemical status.

However, the status presented by the ooao-principle only reflects if this ultimate goal is reached, or not. The principle does not supply information about the actual state of water bodies, if the ultimate goal is not reached. The status may be the result of the assessment of about 100 parameters for each waterbody. An improvement of the majority of parameters to good status and one parameter remaining in status 'not good', gives the same overall result, namely 'not-good'. This is not explainable, both to the political level and the public, whose acceptance for WFD implementation is needed and support for measures necessary to reach the goals of the WFD is seriously hampered as long as this is the only indicator prescribed in the WFD.

Monitoring is costly. For additional indicators, it shall be a boundary condition that their application does not lead to additional monitoring workload for the Member States.

The solution to this problem is to add additional indicators, next to the ooao-principle, that give a more nuanced picture of the actual status of a body of water is, and thus allows for showing progress when comparing results over time. The choice for specific indicators is not included in this proposal. Different types of indicators are suitable to measure progress. Additional indicators are for example already available by previous work of the Commission and Member States [Final Technical Report on Water Quality Indicators; Wood Group UK Limited –July 2021 CIS WG DIS]. More work has been done on groundwater indicators¹. The EEA may propose specific indicators, which should be approved by Member States. By adding this to the WFD, we make sure that the indicators will be applied and in a uniform way.

¹ Draft report Groundwater Indicators – summary report, November 2023, CIS WG Groundwater. Final draft report provided to be placed on CircaBC.

The Netherlands, Austria, Germany, Denmark, Finland and Luxembourg call on the CWP to discuss the following proposal to include in the WFD.

In the new proposed article 8 paragraph 3 of the WFD, the Commission is empowered to adopt implementing acts to set out specifications and standardised methods for analysis and monitoring of water status. Paragraph 5 of this article sets out obligations to the EEA. Please add after 'in particular': 'on indicators showing measure of progress – as agreed upon by the Member States – and'. The text should then read:

5. The EEA shall ensure that the information made available in accordance with paragraph 4 is regularly processed and analysed for the purpose of making it available, via relevant Union portals, for reuse by the Commission and relevant Union agencies and for the purpose of providing the Commission, the Member States and the public with up-to-date, objective, reliable and comparable information, in particular **on indicators showing measure of progress – as agreed upon by the Member States – and** on status, in accordance with Regulation (EC) No 401/2009 of the European Parliament and of the Council****.