

WFD

NEWSLETTER

3rd Edition, October 2004



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Welcome to the **third Water Framework Directive Newsletter** presented by the European Commission's **Directorate General for the Environment**: a newsletter for everyone interested in European water policy and in particular the process of implementation of the Water Framework Directive, or WFD.

The aim of this newsletter is to bring you up to date with what is being done under the WFD Common Implementation Strategy, an outstanding joint effort to improve, protect and enhance the quality of our rivers, lakes, transitional and coastal waters and groundwaters. Published several times a year, the WFD Newsletter will bring you news of what progress has been made and new issues arising from the process. By reading WFD Newsletter we hope it will not only inform you of what is going on, but inspire you to get involved and play your part in helping to deliver one of Europe's most ambitious pieces of environmental legislation to-date. WFD Newsletter will be available electronically free-of-charge through the WFD web-page of the Environment DG (see below).

In this edition we focus on the main outcomes of the Water Directors meeting in June 2004 and look at state of transposition of the Water Framework Directive in the Member States (page 2). We examine progress in three of the pilot river basin districts (Scheldt, Jucar and Oulujoki) (page 3). Of course, we also provide you with updates of the key news on the WFD, forthcoming events, meetings and workshops, and details on where to find more information. We hope you find this newsletter enjoyable and informative; in order for us to make this newsletter as useful as possible, please send any further comments to the WFD Helpdesk.

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The Water Framework Directive - **What is it?**

In simple terms the Water Framework Directive (also known as the WFD or Directive 2000/60/EC) is a legislative framework to protect and improve the quality of all water resources such as rivers, lakes, groundwater, transitional and coastal water within the European Union. The WFD was published and entered into force in December 2000 (*Official Journal of the European Communities, L327, 22 December 2000, pages 1-72*). Member States must incorporate the WFD into national law by the end of 2003. Thereafter, many more steps must be taken to achieve "good status" of all European waters by 2015.

The Common Implementation Strategy

The Common Implementation Strategy for the Water Framework Directive (known as the CIS) was agreed by the European Commission, Member States and Norway in May 2001. The main aim of the CIS is to provide support in the implementation of the WFD, by developing a common understanding and guidance on key elements of this Directive. Experts from the above countries and candidate countries as well as stakeholders and non-governmental organisations are all involved in the CIS process. A series of working groups and joint activities has been carried out and the results of the first two years has recently been published on a CD-ROM. The current structure and the ongoing activities are laid down in the work programme 2003/2004.

More information on the WFD and the CIS can be obtained from:

http://europa.eu.int/comm/environment/water/water-framework/index_en.html or
<http://forum.europa.eu.int/Public/irc/env/wfd/home>





Feature: The main outcomes of the Water Directors' Meeting 22-23 June 2004 - Dublin

The Water Directors of the European Union (EU25, Candidate Countries and EFTA Countries) met on 22 – 23 June in Dublin on invitation of the Irish Presidency. The agenda included the following issues with relevance to the Water Framework Directive:

- the progress of the Common Implementation Strategy for the Water Framework Directive;
- the preparation of the draft register of intercalibration sites and the guidance on the intercalibration exercise;
- the agreement of the mandate on eutrophication activity;
- the finalisation of the document on the Article 5 risk analysis;
- the progress on the integrated pilot river basin testing exercise;
- integration of water policy in other policy areas, in particular agriculture policy and regional policy;

The Water Directors were able to agree on a number of issues, including the endorsement of a mandate for an activity on the assessment of Eutrophication and a Policy Summary on "Principles and communication of results of the first analysis under the Water Framework Directive". The Policy Summary identifying five principles for the preparation of Article 5 analysis on pressures, impacts and water uses and made recommendations for communicating the results. In addition to the Policy Summary, a more detailed background document was finalised (both documents are available on [the public area of Circa](#)). The pilot river basins (PRB) presented their first outcome report. The Water Directors welcomed the progress that had been made and thanked the PRBs and Steering Group for their considerable efforts. A policy summary of the key results of the first phase of the PRB exercise was agreed. Furthermore, considerable progress on the preparation of the intercalibration network was noted.

The Water Directors held a discussion on environmental objectives and their wider implications. They agreed that a Drafting Group should be formed to take the discussion paper presented by the Commission as a starting point for developing these ideas further. It is intended to discuss the issue on the next meeting and possibly to organise a policy level workshop to be held on the issue in early 2005. The issue of the WFD and Agriculture was discussed in detail and it was noted that it is clear from the emerging characterisation results that tackling diffuse pollution from agriculture will be important element in meeting Good Ecological Status. The Water Directors recommended that a Strategic Steering Committee be established as soon as possible which should report to the Water Directors. It was also agreed that a mandate should be prepared for the activity to be included in the 2005/6 Work Programme. In addition to the discussions on the WFD implementation, progress was noted on a number of other issues including the Marine Strategy, flood protection, climate change and water policy and quantitative aspects of water management.

The next meeting will be held in Amsterdam under the Dutch Presidency in December 2004.

News on the Water Framework Directive - Legal Transposition

Three years after the entry into force of the Water Framework Directive, the Member States were required to incorporate the requirements of the Directive into their national legislation. Out of the 15 former Member States, five (AT, DK, EL, ES, IE) have notified the legal instruments to transpose the Water Framework Directive in time, i.e. by 22 December 2003. In addition, Germany and Belgium had partially transposed the Directive. Germany has adopted national framework legislation but adoption of specific legislation in the 16 Federal States ("Länder") needs to be completed. Only some "Länder" have finalised that process yet. In Belgium, first the Flemish Region and later the Wallone Region have transposed the WFD, the Brussels Region is still working on the transposition. From January to June, UK (with the exception for Gibraltar), Sweden and France have notified their legal transposition. Thus, by the end of May, Finland, Italy, Luxembourg, the Netherlands and Portugal had not notified any information on the transposition. The 10 new Member States had to notify the completion of the legal transposition by the 1st May 2004. Eight of these 10 Member States had notified the completion of this process to the Commission by the accession date. Malta and Slovak Republic were the only two new Member States which had not done so. Both countries confirmed that the transposition is completed, however formal notification to the Commission was still pending. This is expected to happen shortly. Consequently, in July the Commission took legal action against those Member States which had not completed their transposition. For further information see Press Release IP/04/870 of 8 July 2004: <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/870&format=HTML&aged=0&language=EN&guiLanguage=en>

water

The Pilot River Basin Network:

In the previous editions of the WFD Newsletter the Pilot River Basin Network was introduced and three pilot basins (Moselle-Saar, Tevere and Odense) were presented. In this edition of the newsletter we provide further details on three more of the pilot river basins: Scheldt; Júcar; and Oulujoki. More information on the pilot river basin exercise is available on the Platform for Information Exchange of the Joint Research Centre under:

http://viso.ei.jrc.it/wfd_prb/index.html

The **Scheldt** river basin district is the largest PRB and covers a surface area of 36 562 km². The Scheldt river basin district is inhabited by 12.6 million people at an average density of 345 inhabitants per km² and is heavily industrialised together with agricultural practices. It includes inland and coastal waters. This basin covers different national and regional territories in France, Belgium (Walloon region, Brussels Capital region and Flemish region) and the Netherlands. This means that this PRB has to deal with the additional challenges of an international district. However, a project called Scaldit in the context of the International Scheldt Commission supported by Interreg IIIB NWE was set up to ensure the coordination of the WFD implementation. The testing of the CIS Guidance Documents in this river basin is being conducted within the context of the Scaldit project. Several expert-workshops have already been organised by the Scaldit project and recently, a seminar was organised to present the preliminary results of the project (see *homepage*: www.scaldit.org for additional information).

For coastal and transitional waters, a common typology has been defined. For fresh surface waters, this seemed to be impossible and each country/region applied its own typology. However, the criteria they used are to a high degree comparable and special attention is paid to cross-border water courses. This led to a provisional identification of 781 water bodies for rivers, 69 for lakes, 6 for transitional waters, 7 for coastal waters and 66 for groundwater. However, the number of water bodies for rivers will probably decrease, as the provisional identification of these water bodies is still being evaluated in the Flemish region. The evaluation of current chemical and biological status, the pressure and impact analysis, as well as the economic characterisation are being carried out. By the end of the year, the results of the transnational characterisation of the river basin district will be made publicly under the form of a Scaldit report.

The **Júcar** river basin is located in the east of Spain and covers a surface area of 42 989 km². The basin has a wide range of population density and is inhabited by about 4 360 000 inhabitants with an additional influx of about 1.4 million people during the summer. The basin district is made of four different, autonomous, communities: Valencia Community; Castilla-La-Mancha; Aragón and Cataluña. The basin is very diverse in climatic regions and reliefs and has regular drought and floods episodes. The equilibrium balance between water supply and demand is fragile. There are three main rivers and a large number of lakes and wetlands within the basin. The Júcar RBD is run by a committee of competent authorities including the Júcar River Basin Authority.

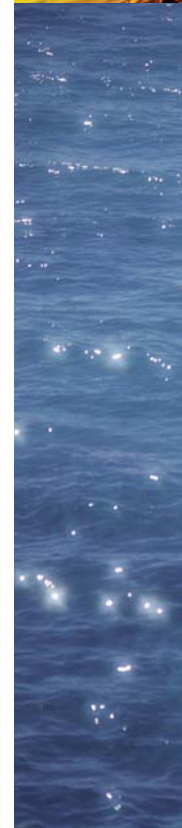
Additional information (mainly in Spanish) can be found on <http://www.chj.es>.

The Júcar PRB exercise started in 2002, all the CIS Guidance Documents are being tested and much of the information fulfilling the requirements of Article 5 of the WFD has been collected and analysed. An important part of the work has been the nationwide GIS model. Characterisation of surface and groundwater bodies and the analysis of pressures and impacts is underway. The Júcar PRB is collaborating on testing and improving the methodologies developed for defining ecotypes.

The **Oulujoki** river basin is situated in Northern Finland and covers a surface area of 22 841 km². It is one of the largest river basins in Finland. Three partners are involved in the PRB exercise: the Finnish Environment Institute (SYKE); the Regional Environmental Centre of North Ostrobothnia Regional and Kainuu; and Northern Environmental Research network (NorNet). The river system in upper reaches is characterised by chains of short river stretches and lakes.

The basin is sparsely populated by 226 000 inhabitants at an average density of 11.5 inh/km² with the population concentrated in the western part of the basin. Forestry dominates the land use in the river basin district whilst 3% is cover by agriculture in the lower part of the basin having a major impact on water quality. A large pulp and paper mill is located within the basin. The flow of the river Oulujoki has been regulated since 1940's mostly for hydropower production.

The preliminary water bodies of Oulujoki river basin have been delineated using three important databases. About 587 preliminary water bodies have been identified so far for surface waters: 85 rivers and 502 lakes and about 210 bodies for ground water.



Upcoming meetings*

(SCG: Strategic Co-ordination Group; EAF: Expert Advisory Forum)

Working Group 2A (Ecostat)	7 - 8 October 2004	Ispra
Workshop on Groundwater Chemical Status and Trends (WG 2C)	18 October 2004	Brussels
Working Group 2D (Reporting)	18 October 2004	Brussels
Workshop "from initial characterisation to RBMP" (WG 2B)	21 - 22 October 2004	Paris
SCG and WFD Committee	27-28 October 2004	Brussels
GIS Expert Group	15 November 2004	Brussels

* Unless otherwise indicated, all meetings are by invitation only

Frequently Asked Questions:

What is **legal transposition of a Directive**?

As a legal instrument, Directives adopted by the European Community bind the Member States as to the results to be achieved. They have to be transposed into the national legal framework, usually within two or three years, and thus leave a margin for manoeuvre as to the form and means of implementation. Only after this "legal transposition" can a Directive come into effect and thus unfold its full legal power. In the case of the Water Framework Directive, the deadline for transposition was the 22 December 2003.

What kind of **infringement procedures exist in relation to EU Law**?

Following the legal transposition, the Member States must notify the relevant legal instruments to the European Commission. If Member States fail to do so in time, the Commission can start a so-called "non-communication" case. There are two other types of infringement cases, the "non-conformity" and the "bad application" cases. The legal basis and the procedures for infringement cases are laid down in the Article 226 and Article 228 of the Treaty establishing the European Community (or the Nice Treaty), see:

http://europa.eu.int/scadplus/nice_treaty/index_en.htm

Key people in the WFD: **the Strategic Co-ordination Group (SCG)**

The Strategic Co-ordination Group (SCG) co-ordinates the different working groups and activities under the Common Implementation Strategy (CIS). The SCG evaluates the outcome of the different working groups, prepares documents and reports for the Water Directors' meetings and gives guidance to the key activities. It is chaired by the Commission and is formed by participants of all 25 Member States and Norway.

Participants of Candidate Countries are invited to participate as observers, NGO's and stakeholders may apply for observer status in accordance with certain criteria. Currently, 12 business, 2 environmental and 8 other organisations including the European Environment Agency are participating in the SCG. The chairmen of the working groups of the key activities participate in meetings of the Strategic Co-ordination Group where relevant to the agenda.



The picture above shows the participants of the SCG meeting of 15 March 2004. If you want to find out more about the SCG, please contact the [WFD CIRCA Helpdesk](#).



European Commission

For more information:

<http://www.europa.eu.int/comm/environment/water/>
E-mail: env-wfd-circa@cec.eu.int

WFD Newsletter Editor: Joachim D'Eugenio (European Commission, DG Environment, Unit D.2)

A great deal of information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>).

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