

Implementation of the European Framework Directive on Water in the Walloon region – Assessment of the water bodies quality management

ABSTRACT

The European Water Framework Directive of 23 October 2000 (EFD) is intended to achieve a “good” ecological, chemical and quantitative status of all common surface water and groundwater. In principle, this objective should be met by 2015, but it can be postponed to 2021 or 2027 if the requested exemption is supported by technical, economic or natural reasons. The directive triggers an integrated management of the sectorial policies (agriculture, industry etc.) that can have an impact on the water quality. It establishes the framework for water bodies management and protection based on the river basins, not on the borders. This approach must be implemented by the competent member states and the public entities through River Basin District Management Plans (RBMP’s) and measures schemes. There are four river basins on the Walloon Region territory: Escaut, Meuse, Rhin and Seine.

The Court’s audit deals with four specific aspects¹ of the implementation of the EFD by the Walloon Region:

1. the implementation of the European Union water policy ;
2. the approval of a cross-strategy on water quality management ;
3. the financing of the measures schemes intended to achieve the environmental objectives ;
4. the evaluation of the objectives’ implementation in order to achieve a good water body status.

The management of the water body quality in the Walloon Region has improved over the last fifteen years. The pursuit of the quality objectives based on scientific and economic analysis was planned progressively, and programmes were developed to monitor the water body status.

However, the Court of Audit states that the implementation of the EFD by the Walloon Region shows four important weaknesses.

1. Most obligations included in the directive were converted and implemented too late, the cost recovery principle for example. When the management plans 2009-2015 were approved in June 2013, only 18 months were left to implement the measures of which the implementation should have taken 6 years.
2. The measures schemes included in the RBMP did not meet the cross-strategy aims set by the framework directive. Moreover, the steering of those programmes was not coordinated by

¹ This audit mainly concerns the RBMP₁, adopted by the Walloon government on 27 June 2013 and, subsidiary, the RBMP₂, adopted on 23 April 2016.

one single body, which was found to be one of the causes of the delay. There is no centralised monitoring allowing to ascertain the effective implementation of the planned measures.

3. The financing of the measures schemes is only partly ensured because of the following reasons: the estimate of the receipts and expenses is hardly reliable; some financing sources are difficult to identify; the tax reform was approved too late; the budgetary choices, the restricted use of the environment protection funds revenues for the implementation of the EFD, amongst others, limited the means at disposal.
4. the level of the established objectives as well as the conceptional relevance of some RBMP¹ and 2 measures, especially regarding agriculture, lack ambition.

The objective regarding the good status of the water bodies (surface water and groundwater) situated on the Walloon Regions territory, will probably not be met by 2027. The environment minister endorses this finding, adding that most European Union countries are facing this problem.

In order to ensure a more effective implementation of the EFD in the Walloon Region, the Court of Audit formulates a number of recommendations, four of which are particularly important, i.e.:

- implementing the cost recovery principle by approving the different tax regulations and provisions, so that each economic sector (households, industries, agriculture) contributes to it in an appropriate manner (application of the 'polluter-payer principle');
- significantly raising the ambition level of the RBMP, particularly in the field of agriculture, by focusing more on the measures regarding the critical water bodies;
- using the justified financial contribution of every sector optimally, as well as the budget revenues, in particular by prioritising the use of the revenues of the environment protection fund;
- by means of one single steering movement, coordinating all of the parties in charge of drawing up the RBMP and ascertaining that they are implemented correctly by monitoring the measures' progress, the resources' use and the objectives' realisation.