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Subject:	Proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast) - Policy debate = Contribution from delegations

Delegations will find in the Annex a contribution from Sweden to the policy debate on the above at the Council (Environment) on 25 June 2018.

ANNEX

SWEDEN

In order to seek political guidance on the way forward, the Presidency invites the Council (Environment) to address the following questions:

1. On Harmonization of Materials:

a) Do you agree that harmonization of materials and products in contact with drinking water should be conducted under internal market legislation, including the full harmonization of hygienic requirements, or should the Member States retain discretion to set stricter requirements under environment legislation?

Sweden sees a need to strengthen the protection of human health as regard risks posed by materials and products in contact with drinking water, while reducing obstacles to the internal market. Sweden recognizes that this might be a challenge to find a balance solution which take different aspects into account. It is, however, important that a solution is found that enables Member States to adapt to set stricter requirements if deemed necessary in order to protect public health or the environment. Further analysis is needed in order to solve this issue.

b) If the harmonization of materials and products in contact with drinking water were to be addressed under the Construction Products Regulation, do you see any shortcomings with this approach and, if so, how should they be addressed? If you propose an alternative, could you explain how it will work with regard to feasibility and legal certainty?

Sweden welcomes a solution where the Construction Product Regulation is used for defining a products' technical specifications and methods to test products in contact with drinking water. However, these measures will not eliminate technical trade barriers. The question on how to strengthen the protection of human health and to achieve more harmonized requirements on products' content or release of substances should be solved at EU-level. This is not only an internal market question, but also a question concerning health and environmental aspects. Therefore, there needs to be some flexibility for states to set stricter requirements. Further analysis is needed in order to solve this issue.

2. On Access to Water

a) Is the Drinking Water Directive the most adequate instrument to regulate the obligation to assure access to water, having also in mind the European citizens initiative "Right2Water"?

Sweden understands the background to the issue and the different challenges regarding access to water and strongly support the SDG 6 on Clean water and sanitation and its implementation in the EU. However, Sweden has some doubts whether the Drinking Water Directive is the most adequate instrument to use to achieve this objective. It is important to find a sound and reasonable balance between the stated intention of Article 13 and the proportionality principle.

b) If there were to be a provision on access to water, should it list measures to implement access to water or should Member States be granted further flexibility to choose the most appropriate measures adapted to their cultural and geographic circumstances?

Sweden supports the important issue of access to drinking water and the aim to diminish the use of plastic bottles and we see a need for better access to water for marginalized groups. We do however question if the Drinking Water Directive is the right place to regulate the access to water for marginalized groups. Sweden consider, however, that that it is important to have flexibility due to geographical circumstances. The fulfillment of such a provision could in our view prove to be costly in a way that is not proportionate and therefor difficult to justify. This could for example be the situation if the requirement is applied in areas with low population density.