



Brussels, 28 September 2016
(OR. en)

11559/3/16
REV 3

LIMITE

ENV 514
CLIMA 96
AGRI 439
IND 171
PROCIV 55
RELEX 675
MED 30
DEVGEN 179

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	12334/16 ENV 592 CLIMA 114 AGRI 492 IND 195 PROCIV 59 RELEX 756 MED 37 DEVGEN 199 + ADD 1
Subject:	Sustainable Water Management - draft Council conclusions

Delegations are informed that the silence procedure launched on 26 September 2016 on the revised draft Council conclusions (document 11559/2/16 REV 2) was not formally broken. However, some delegations suggested some editorial and minor changes that the Presidency has decided to take on board, as they clarify the text and make it more accurate, whilst maintaining its substance. These changes (marked in **bold** in the text in Annex) are the following:

- paragraph 3, 2nd indent: a reference to the WFD has been added for the sake of accuracy;
- paragraphs 9bis and 10: only editorial changes;
- paragraph 12: the reference to interaction and coherence between Directives that was previously in paragraph 13 is moved here so as to make clearer that the Council is not asking for the review of all water-related Directives;
- paragraph 13: the remaining text has been simplified and shortened.

Since the attached text reflects in a balanced manner the different suggestions made by delegations and since there are no major outstanding issues, the Presidency considers that the draft Council conclusions as attached constitute a good overall compromise that should be now acceptable to all.

In this perspective, **a new informal silence procedure is hereby launched**. In absence of objections from delegations, to be communicated to the Presidency (eva.palackova@mzv.sk) and the Council Secretariat (andres.tobias@consilium.europa.eu) by **Thursday 29 September 2016, noon**, the attached draft Council conclusions will be deemed as agreed and subsequently transmitted to Coreper/Council for formal adoption.

Sustainable Water Management**- draft Council conclusions -**

RECALLING the Council conclusions on EU water diplomacy of 22 July 2013 ¹; on a Blueprint to safeguard Europe's water resources of 17 December 2012 ²; on Protection of water resources and integrated sustainable water management in the EU and beyond of 21 June 2011 ³; on Integrated flood management within the EU of 12 May 2011 ⁴; on Water scarcity, drought and adaptation to climate change of 11 June 2010 ⁵; on Water scarcity and droughts of 30 October 2007 ⁶; and the EU Action Plan for the Circular Economy of 20 June 2016 ⁷;

RECALLING the main EU legislative instruments on water policy, in particular the EU Water Framework Directive (WFD) ⁸, the Floods Directive (FD)⁹ and the Marine Strategy Framework Directive (MSFD) ¹⁰;

RECALLING the General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ ¹¹, and the Industrial Emissions Directive ¹², and in particular their water-related provisions;

RECALLING the Council conclusions on The Mid-Term Review of the EU Biodiversity Strategy to 2020 of 16 December 2015 ¹³, and in particular the fresh water and marine biodiversity issues;

¹ Doc. 12493/13.

² Doc. 17872/12.

³ Doc. 11308/11.

⁴ Doc. 9241/11 + COR 1.

⁵ Doc. 11061/10.

⁶ Doc. 13888/07.

⁷ Doc. 10518/16.

⁸ Directive 2000/60/EC of 23 October 2000 (OJ L 327, 22.12.2000, p.1).

⁹ Directive 2007/60/EC of 23 October 2007 (OJEU L 288, 6.11.2007, p. 27).

¹⁰ Directive 2008/56/EC of 17 June 2008 (OJEU L 164, 25.6.2008, p.19).

¹¹ Decision 1386/2013/EU of 20 November 2013 (OJEU L 354, 28.12.2013, p.171).

¹² Directive 2010/75/EU of 24 November 2010 (OJEU L 334, 17.12.2010, p.17).

¹³ Doc. 14950/15.

RECALLING the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) and HIGHLIGHTING its water-related provisions, in particular SDG 6 (Ensure availability and sustainable management of water and sanitation for all), SDG13 (Take urgent action to combat climate change and its impacts), SDG 14 (Conserve and sustainably use the oceans, seas and marine resources for sustainable development) and their related targets;

RECALLING the Sendai Framework for Disaster Risk Reduction 2015-2030, which *inter alia* aims to increase resilience for the society and the environment, and the OECD Principles on Water Governance welcomed at the OECD Ministerial Council Meeting on 4 June 2015;

WELCOMING the entry into force of the UN Watercourses Convention ¹⁴ and the UNECE Water Convention ¹⁵ becoming a global instrument; RECOGNISING the valuable role of both Conventions in promoting and facilitating sustainable management of transboundary waters; and HIGHLIGHTING the role of the Sea Conventions in the implementation of the MFSD;

RECALLING the outcome of the 7th World Water Forum, which *inter alia* recognised the urgent need to address water-related challenges in a sustainable manner ¹⁶, as well as the World Economic Forum's Global Risk Report 2016, which places water in third place of the top ten risks that can have a significant negative impact for society and the economy;

THE COUNCIL OF THE EUROPEAN UNION

1. ACKNOWLEDGES that European Union waters are under pressure, caused *inter alia* by water pollution, the increasing demand for water and the speed and intensity of land use and climate change impacts, which compromises water security and exacerbates the negative effects of drought and water scarcity, notably in the Mediterranean area but increasingly also in other EU areas;

¹⁴ UN Convention on the Law of the Non-navigational Uses of International Watercourses (1997).

¹⁵ UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (1992).

¹⁶ Ministerial Declaration adopted at the 7th WWF on 13 April 2015 in Gyeongju, Republic of Korea.

- 1bis. ACKNOWLEDGES that climate change and the effect of increased heavy precipitation, as well as intensified land use, can cause flash floods and change the flooding phenomena across Europe;
2. RECOGNISES that while a high proportion of river basins in the EU are shared among two or more Member States, the EU regions have diverse physical geography, environment and climate conditions which influence all aspects of society and economy, including water management; UNDERLINES that flexibility in terms of measures is therefore needed in order to achieve the EU water policy goals; and RECOGNISES that since one solution does not fit all, Member States should take measures tailored to specific needs and conditions, while respecting the EU legislation;
3. STRESSES the need to fully implement the existing EU water policy in a coherent and effective way and achieve the objectives of the EU water acquis and HIGHLIGHTS the importance of ensuring the protection of waters against the deterioration of their status and securing sufficient supply of good quality water for the population and for all other sustainable uses of water, in particular by
- promoting sustainable water use based on appropriate protection and management of water resources, taking into account both the quantitative and qualitative aspects;
 - protecting all water bodies and progressively bringing them to good status, **in line with the main objectives of the WFD**;
 - promoting new integrated and more effective approaches for urban waste water collection and treatment;
4. APPRECIATES the progress made so far and RECOGNISES the challenges to reach the EU water policy objectives and good status of all EU waters; UNDERLINES the importance of policy coherence in this regard; and EMPHASISES that EU water policy objectives, including the sustainable use and management of water, should be better integrated into other relevant policies such as food, agriculture, fisheries, energy, transport, industry, spatial planning, urban development and tourism at all levels, as well as into relevant EU financial mechanisms;

5. CALLS ON the Member States to seek a balanced combination of green and technical infrastructure when choosing the ways and means to achieve the EU water policy objectives; EMPHASISES that the use of green infrastructure measures such as natural water retention can safeguard and enhance the water storage potential of landscape, soil, and aquifers, thereby reducing the risk of flooding and improving the status of water bodies; and ACKNOWLEDGES that technical infrastructure measures may be needed to deal with droughts and floods;
- 5bis. HIGHLIGHTS the importance of sustainable consumption and production (SCP) and circular economy as means of achieving a sustainable use and management of natural resources, including water and resources in waste water; and EMPHASISES that sustainable water management and sound river basin management planning are a prerequisite to achieving a circular economy;
6. HIGHLIGHTS the importance of reducing water consumption in a sustainable way by the EU economic sectors and citizens, and CALLS ON the Member States to implement where appropriate measures to promote the efficient use of water in all relevant economic sectors, *inter alia* by:
- Ensuring that water-pricing policies provide adequate incentives for users to use water resources efficiently;
 - Investing in the reduction of water losses and leakages;
 - Improving systems for water allocation, including the implementation of water accounts;
 - Creating and developing complementary water supply infrastructure, taking into account relevant measures to prevent and adapt to water scarcity and droughts as well as to promote water efficiency and water demand management;
 - Promoting innovative technologies and practices enabling a sustainable and efficient use and re-use of water, including for irrigation systems, agriculture, industry and tourism;
 - Promoting the use of life cycle costing tools, including through public procurement;

- Increasing users awareness of the need to optimize water use, thereby strengthening the water-saving culture;
- Deepening knowledge and improving data collection and analysis, including on the impact of climate change and on early warning systems;
- Improving water governance in basin and local scales;

7. [...] (*moved up, now para 5bis*)

8. EMPHASISES that water re-use, in addition to other water saving and efficiency measures, can be an important instrument to address water scarcity and to adapt to climate change as part of integrated water management; CALLS ON the Members States to take measures to promote water re-use practices, taking into account regional conditions where appropriate and whilst ensuring a high level of protection for human health and the environment, as water re-use can also deliver benefits in terms of economic savings, environmental protection, stimulating investments in new technologies and creating green jobs; STRESSES that well-treated urban waste water can be re-used for a variety of purposes in the agricultural sector, industrial applications, sustainable urban development and protection of ecosystems; and NOTES with interest the intention of the Commission to present in 2017 a proposal on minimum quality requirements for reused water in the EU;
9. UNDERSCORES that a sound water planning and sustainable water management in relation to river basins, flood risk and droughts are essential components of sustainable development, and therefore requires the effective involvement of all relevant stakeholders, including not only governments but also civil society, researchers and the private sector;
- 9bis. EMPHASISES that coastal and marine waters are also subject to sea- and land-based pressures and CALLS on Member States to submit and implement as soon as possible Programmes of Measures under the MSFD that are ambitious and consistent with the WFD Programme of measures **and** the River Basin Management Plans (RBMPs), as well as with the **Flood Risk Management Plans (FRMPs)**, thereby making progress towards achieving good environmental status of the marine waters by 2020;

10. **HIGHLIGHTS** the importance of strengthening transboundary water cooperation on the basis of subsidiarity, proportionality and reciprocity both within the EU and between the EU and non-EU countries, as well as between River or River Basin and Sea Commissions **and** with other relevant actors dealing with sustainable water use and management, water scarcity, floods and droughts;
11. **CALLS ON** the Commission and the Member States to
- work together to implement water-related EU legislative and non-legislative instruments, policies and existing standards in a coherent way;
 - use innovative, science-based and targeted approaches in order to ensure sustainable use and management of water resources and to protect and improve the status of the aquatic environment within the EU;
12. **UNDERLINES** that the WFD and the FD are the main water-related instruments for addressing the impacts of climate change on water quantity and quality and implementing the measures for adaptation **and HIGHLIGHTS the importance of efficient interaction and coherence between water policy Directives**;
13. **NOTES** that the WFD will be reviewed by the Commission in 2019 **and hence [...]** that the time **available** for preparation [...] is short; and **CALLS** upon the Commission to work with the Member States to develop, well before the 2019 WFD review, timely and legally sound options to enable continuous and ambitious national implementation by 2027 and beyond, taking into account the prevailing and new challenges to water management planning.
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