



Living
Rivers
Europe



THE FINAL SPRINT FOR EUROPE'S RIVERS

AN NGO ANALYSIS OF 2022-2027 DRAFT
RIVER BASIN MANAGEMENT PLANS

Working together
for healthy rivers
in Europe



Living Rivers Europe is a coalition of six environmental and angling organisations: WWF’s European network, the European Anglers Alliance, European Environmental Bureau, European Rivers Network, Wetlands International Europe and The Nature Conservancy. Living Rivers Europe puts forward a strong vision of healthy river ecosystems flourishing with wildlife to the benefit of society at large, the economy and sustainable development in Europe. To make this vision a reality, and give our water ecosystems a real future, we stress the importance of an ambitious implementation of the EU Water Framework Directive and related policies. Together with our members and supporters, representing a dedicated movement of over 40 million people across Europe, we aim to ensure that the loss of aquatic wildlife is halted and reversed and that European waters are managed more sustainably.

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EXECUTIVE SUMMARY

River Basin Management Plans (RBMPs) are required every six years under the Water Framework Directive (WFD), adopted 20 years ago, to outline how environmental objectives for each river basin will be reached. The 2022-2027 RBMPs are crucial as they are the last ones before the WFD’s 2027 good water health deadline.

This report puts forward results of an assessment carried out by NGOs on the quality and level of commitment of 13 draft RBMPs in eight EU Member States and one international River Basin District published before May 2021. It draws up conclusions and recommendations that will make sure the final sprint towards the 2027 deadline is successful. The assessment is based on a set of 47 indicators, grouped into 11 topics, chosen to reflect the objectives and components of the WFD as well as NGO priorities for implementing the WFD. Despite the intrinsic limitations of this exercise, this assessment indicates how the draft plans perform in addressing the main pressures on water bodies, including restoration measures, and in making use of the instruments provided by the WFD.

The RBMP drafting period has fallen entirely in the Covid-19 pandemic when global and EU discourses and initiatives such as the European Green Deal have committed governments to “build back better”, to prevent the upcoming biodiversity collapse, to reduce our exposure to risks of pollution or water scarcity and to increase societal resilience. In addition, the 2019 WFD Fitness Check indicated that slow implementation, insufficient funding, and insufficient integration of environmental objectives in sectoral policies were the key constraints for preserving and restoring water bodies, home to Europe’s most biodiverse and most threatened ecosystems. Most of the draft RBMPs studied in this report do not address these insufficiencies, although there are a few exceptions.

Out of the 13 draft RBMPs assessed, only two draft RBMPs in Finland demonstrate, on average, a good level of performance. However, even these plans contain gaps, in particular on the level of funding. Six draft RBMPs rank poorly, including the two assessed Italian plans, the Dutch Rhine plan, the two assessed German plans and the International Odra plan. The performance of the assessed draft RBMPs is good or high for just one fifth of the overall assessed indicator values. Performance is poor for almost half of them.

In general, Member States have improved inventories, tools and criteria, but the level of ambition remains low with numerous exemptions.

In some cases, the draft RBMPs anticipate that objectives will not be achieved before 2050. One of the main constraints is the lack of budget allocated to the Programme of Measures - a set of measures required under the WFD that must be prepared by Member States as part of their River Basin Management Plans, outlining how they will achieve the WFD’s environmental objectives. This is caused by the failure to recover environmental and resource costs from strong economic sectors including energy, agriculture and navigation. This reflects resistance to change from vested interests, and a lack of political understanding of the importance of European waters for people and our planet.

The plans reveal a general failure of Member States to integrate water protection and the WFD’s environmental objectives for Europe’s waters into other policies, in particular energy, agriculture and infrastructure policies. These sectors are among the main drivers of environmental degradation and aquatic biodiversity loss affecting Europe’s rivers, lakes and groundwater resources. Twenty years after the adoption of the WFD, EU Member States continue to channel enormous amounts of public funds into environmentally harmful activities, which counteract and prohibit the achievement of a good ecological, chemical and quantitative status of our waters. Mainstreaming sustainable water management in all EU policies must remain a key priority. As long as EU policies negatively impact European waters, the successes of the WFD will remain limited. **The RBMPs should therefore be seen as a key vehicle to help bring other policies in line with achieving good water status.**

According to the sometimes ambiguous or incomplete information included in the assessed draft plans (except for Finland), most of the water bodies will not reach good status by 2027. Such a weak implementation of the WFD’s latest RBMPs, if not significantly improved in the final version of the plans, would be very counterproductive to the ambition of the European Green Deal. The draft plans must undergo a six-month public consultation phase and be finalised by the end of 2021. During this time, **we recommend that EU Member States address the shortcomings identified in the draft plans, and raise their commitments to make significant progress towards the Water Framework Directive’s objectives.** They must aim to halt freshwater biodiversity loss and put an end to Europe’s unsustainable water management.

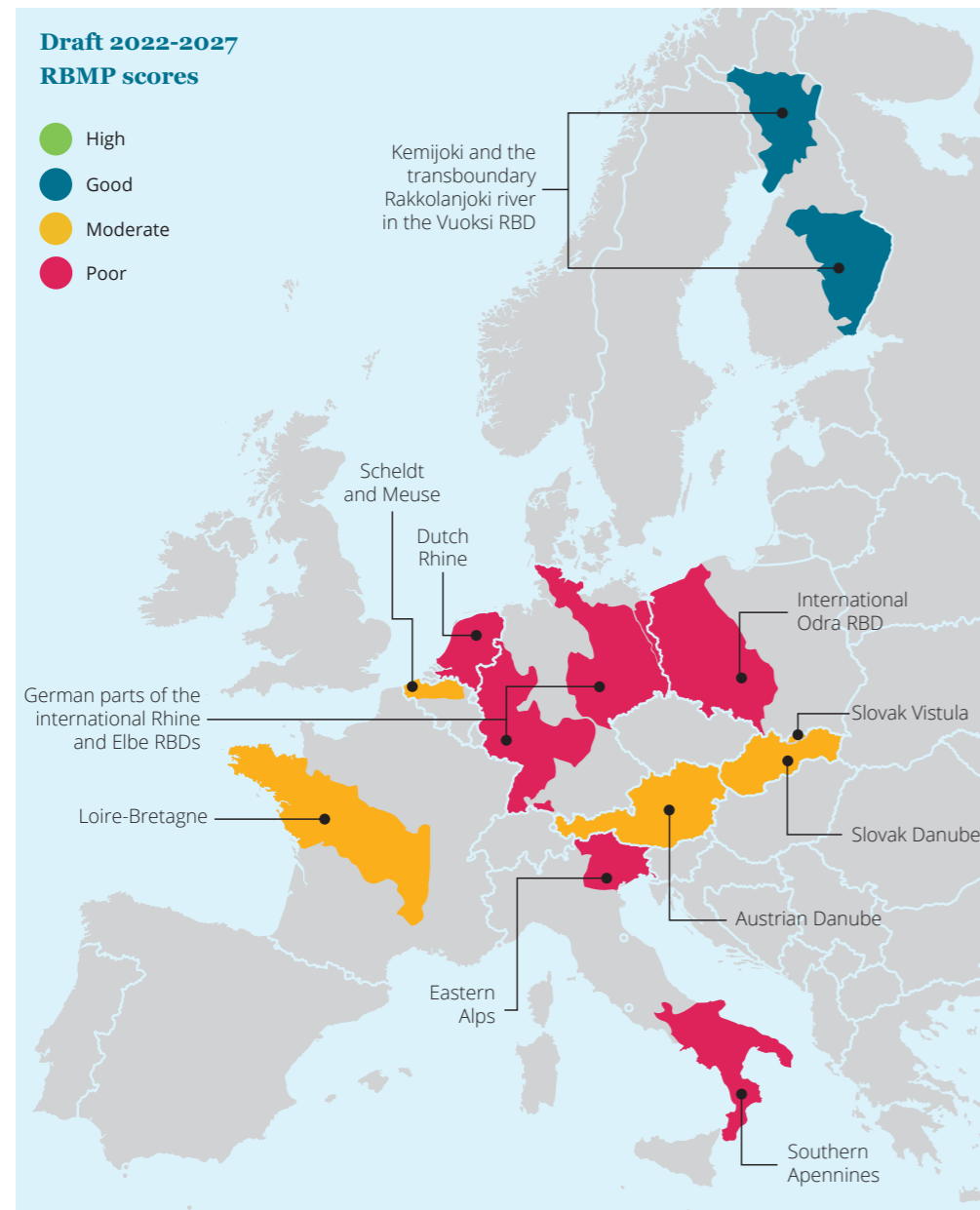
MAIN FINDINGS

Overall, the assessed draft RBMPs reveal that **commitments to achieving the WFD objectives by 2027 (20 years after the adoption of the Directive) have not increased, although there are some exceptions.** Notably, these commitments have not been ramped-up following the 2019 Fitness Check which found major gaps in implementation, lack of funding and lack of policy integration.

Two assessed draft RBMPs in Finland achieve high and good scores in several topics. This reflects efforts already made during the previous WFD RBMPs. They are followed by the draft RBMP for the Loire-Bretagne RBD in France which achieves

a good performance in several topics and progress towards the WFD objectives. However, even these plans contain gaps, in particular regarding the level of funding, which prevent the river basin from being completely on track to achieve the WFD objectives by 2027. At the lower end of the scale, the assessed draft RBMPs for Germany, the Dutch section of the Rhine, the international Odra River Basin District, and the two Italian RBDs show multiple areas of poor performance, with information gaps, poor planning such as missing criteria and prioritisation, and a lack of ambition for the implementation and the achievement of WFD objectives (figure 1).

Figure 1: Draft 2022-2027 RBMPs assessed in this report and their overall classification



Although most of the plans do not demonstrate the significant rise in commitment that would be necessary to achieve good water status in European water bodies, some improvements were noticed across the assessed RBMPs. These improvements include the removal and adaptation of barriers in line with the targets set by the EU 2030 Biodiversity Strategy¹, freshwater ecosystem protection and restoration, drought and flood management, and addressing pollution from agriculture, in particular nitrates. However, all assessed draft RBMPs fail to properly address water allocation and abstraction control, with

1. In particular, the commitment to restore at least 25,000 km of free-flowing rivers through barrier removal and wetland and floodplain restoration.

poor inventories and missing details on permit reviews for water abstraction (although Slovakia is a positive example in this case) and on control mechanisms. This is particularly worrying as climate change will likely lead to greater water abstractions across the EU. Two major gaps in the draft RBMPs are cost recovery and the provision of an adequate budget (several plans do not even present a gross figure). The majority of the draft RBMPs still heavily rely on poorly justified exemptions, despite the fact that they should be very rare after 20 years of WFD implementation. Most of the draft RBMPs do not provide a summary and explanation on shortcomings in the implementation of the previous RBMPs' Programme of Measures (table 1).

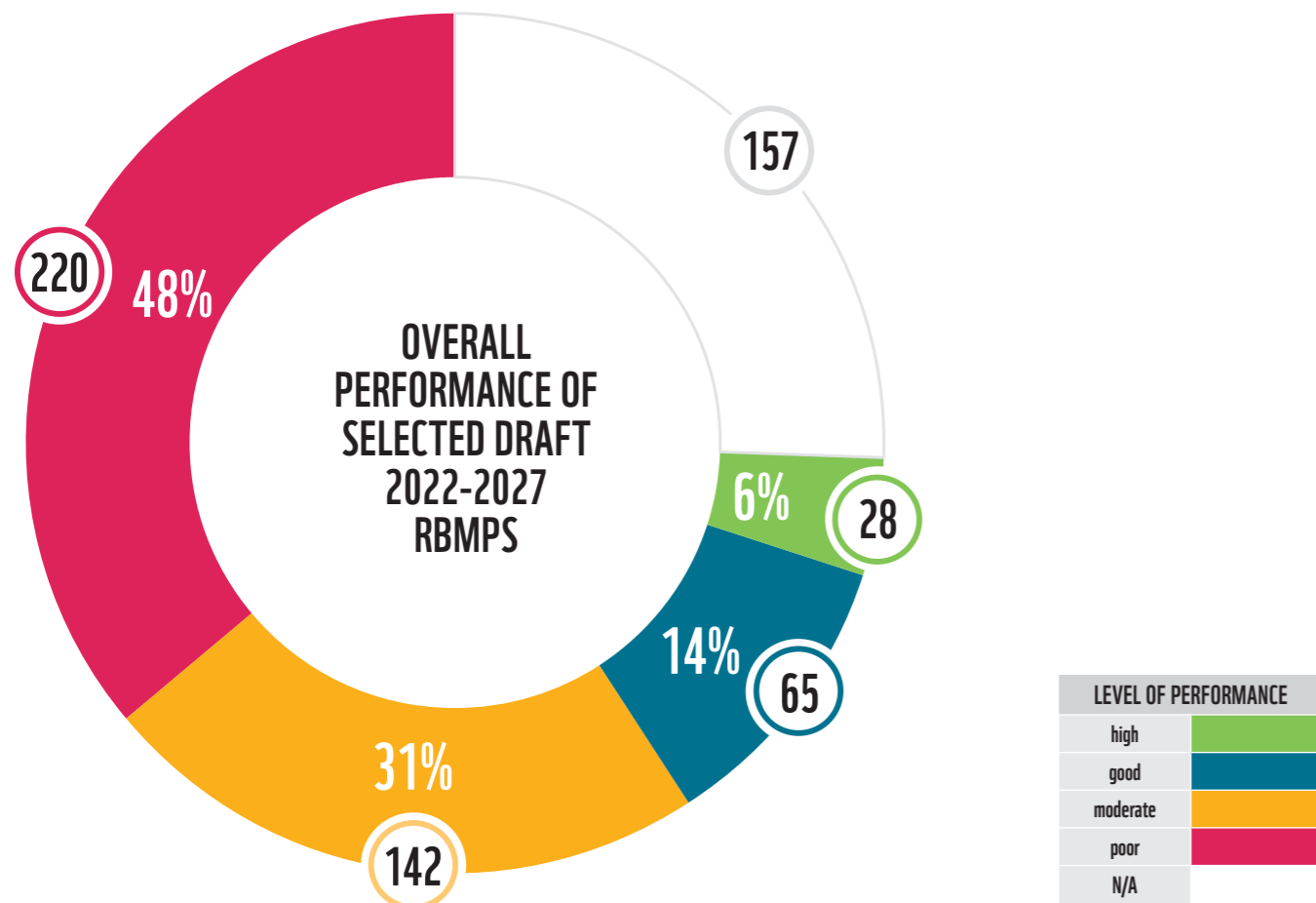
Table 1: Overview of the performance of selected draft RBMPs on indicators addressing key topics, weighted according to the topic's relevance. Draft RBMPs show far too little ambition, i.e. too few specific measures to achieve the WFD objectives by 2027. The in-depth analysis on indicators aims to provide concrete recommendations to the concerned EU Member States' authorities and the European Commission.

Topic	AT	BE	DE	FI	FR	INT	IT	NL	SK				
	Danube	Scheldt and Meuse	Elbe	Rhine	Kemijoki	Vuoksi	Loire	Odra	S. Apenn.	E. Alps	Rhine	Danube	Vistula
1 Removal and adaptation of barriers	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
2 Hydropower	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
3 Inland navigation	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
4 Freshwater ecosystem protection and restoration and NBS	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
5 Water allocation and abstraction control	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
6a Drought management	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
6b Flood management	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
7 Agriculture	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
8 Coal mines (and combustion)	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
9 Economic instruments and adequacy of budget	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
10 Exemptions	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor
11 Review and update on the implementation of the previous RBMP	Good	Good	Good	Good	Good	Good	Poor	Poor	Poor	Poor	Poor	Poor	Poor

Table 2: Colour codes used in this report to indicate the level of performance of draft RBMPs for the topics of different relevance in the individual River Basin Districts

RELEVANCE	LEVEL OF PERFORMANCE				
	high	good	moderate	poor	N/A
Not applicable or relevant for the RBD					
This problem/ challenge has already been solved in the second RBMP	High	Good	Moderate	Poor	N/A
One of the many problems/challenges in this RBD	High	Good	Moderate	Poor	N/A
One of the Significant Water Management Issues (SWMI)	High	Good	Moderate	Poor	N/A
The main problem/challenge in this RBD	High	Good	Moderate	Poor	N/A

Figure 2: Overall performance of selected draft 2022-2027 RBMPs on the 47 indicators (in number of indicator values and %).



For only one fifth of the overall 455 assessed indicator values, the performance of the assessed draft RBMPs rates good or high: 6% ranked high, 14% good, 31% moderate and 48% poor – almost half of the assessed indicator values. The remaining indicator values have not been assessed, either because the topic is not relevant for the RBD or due to a lack of time and available expertise (figure 2).

While carrying out this assessment, several irregularities in the RBMP elaboration process came to light.

Firstly, the assessed draft RBMPs contain major gaps in information, in particular on the summary of the implementation of the previous RBMPs' Programme of Measures, the number of exemptions, and the budget. This hampers proper public participation and the ability of civil society to provide comments on the draft plans.

Secondly, at the time of writing this report (mid-May 2021), significant delays in the publication of the draft plans were observed. In particular, in Bulgaria, Croatia, Ireland, Portugal, Romania, Slovenia, and Spain, most of the draft plans were still not publicly available. This raises concerns about the ability of those countries to submit their final plans on time – by the end of 2021 – while respecting the minimum six-month public consultation obligation.

RECOMMENDATIONS

Public consultations on many of the plans are still ongoing and by using the information included in this assessment, Member States can ensure that this is not just a “paper exercise”, but a strategic effort to secure a resource which is vital to nature and people, and yet highly endangered. The RBMPs should raise their commitments to make significant progress towards the Water Framework Directive’s objectives and halt freshwater biodiversity loss, putting an end to Europe’s unsustainable water management.

Our recommendations to the relevant national and river basin authorities are:

- 1. Dedicate a substantial budget to the Programme of Measures.** Protecting and restoring freshwater and the ecosystems it relies on must become an investment priority, and various financial streams, including EU and national funding, must be mobilised. Prioritising investments that are beneficial to water bodies will result in more sustainable and integrated measures that not only meet water needs in different sectors, but also improve sustainability and biodiversity in the aquatic environment. Programmes of Measures should be aligned with other financial plans for supporting biodiversity such as the Prioritised Action Frameworks under the Nature Directives as well as CAP Strategic Plans and National Resilience and Recovery Plans.
- 2. Ensure that all sectors apply a cost recovery approach** and ensure that the financial resources recovered are available for adequate water management services and for eliminating the related environmental and resource costs through all measures. Substantial measures should be taken to apply the cost recovery principle to the sectors responsible for the highest pressures on water bodies: agriculture, energy (hydropower, coal mining and combustion) and shipping.
- 3. Phase out harmful national and European subsidies** including certain agricultural subsidies, state aid to the hydropower sector and energy taxation exemptions for hydropower. Consider increasing the use of mandatory measures and binding criteria to adapt other sectors’ activities so that they contribute to water quality and biodiversity.

- 4. Limit exemptions to exceptional cases,** and ensure that the evaluation of overriding public interest is done in a transparent and science-based manner, and assessed against the public interest of preserving or restoring freshwater ecosystems and their ecological functions. Make sure all planned infrastructure projects are included in the RBMP with an assessment of their possible effect on water body status and accompanied by measures to minimise or compensate for these effects.

- 5. Align the RBMPs with national biodiversity ambitions** by using the RBMPs to plan for measures that restore free-flowing rivers (as required by the EU Biodiversity Strategy for 2030) and by dismantling obsolete weirs, dams and other structures in the river. This should be prioritised over fish ladders which are insufficient. Improve knowledge and measures that ensure that water management contributes to proper water and sediment flows, the conservation of high quality surface waters and the protection of groundwater-dependent ecosystems and nature protection areas.

- 6. Actively promote the uptake of nature-based solutions, natural water retention measures and nature climate buffers,** as alternatives and complements to traditional engineering solutions. Each RBMP should include a strategy for piloting and upscaling NBS projects so they become the preferential option in planning infrastructural measures.

Our recommendations to the European Commission:

- 1. Actively encourage Member States** to make sure that the commitments made in the RBMPs are aligned with the ambition of the European Green Deal. It is crucial that the third RBMPs are aligned with the targets set by the EU Biodiversity Strategy for 2030, the Zero Pollution Action Plan, and the EU Climate Adaptation Strategy, and that opportunities are fully used in the National Recovery and Resilience Plans.

2. **Make use of enforcement powers** to ensure that more cases of non-compliance with the Water Framework Directive are open and investigated, and delays are shortened.
3. **Do not tolerate delays** or poor public participation processes in the finalisation of the RBMPs.
4. **Phase-out harmful EU subsidies** to sectors and activities which counteract and prohibit the achievement of a good ecological, chemical and quantitative status of our waters through: the upcoming revision of the EU State Aid Guidelines, the CAP Strategic Plans, the National Recovery and Resiliency Plans, the revision of the Energy Taxation Directive and the EU Structural and Cohesion Fund Programmes.
5. **Mainstream the protection of freshwater ecosystems in sectoral policies** under the European Green Deal to complement and reinforce the Water Framework Directive. The upcoming EU Restoration Law should contain a legally-binding, ambitious free-flowing river restoration target.² Particular efforts are also needed to align transport (revision of the TEN-T guidelines, NAIADES III action plan), agriculture (CAP Strategic Plans) and energy (revision of the Renewable Energy Directive) policies with the objectives of the WFD.

2. We recommend increasing the current target for free-flowing rivers of at least 25,000 km to 15% of all rivers to be restored to a free-flowing state by 2030 through inter alia barrier removal and floodplain restoration. See Living Rivers Europe, [Protecting and restoring river ecosystems to support biodiversity](#), March 2021.



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