

*Summary and conclusions of the Round table: „CHANGES IN WATER LEGISLATION WITHIN THE FRAMEWORK OF THE EU GREEN DEAL - CHALLENGES AND OPEN QUESTIONS”, held on Thursday, 11 April 2024, during the first day of the 4th International Conference „WATERS IN SENSITIVE AND PROTECTED AREAS“*

The objective of the round table was to have a panel discussion about the key actions under the European Green Deal, which is the fundamental Union's strategy to ensure by 2050 a climate neutral, clean, and circular economy, optimizing resource management while minimizing pollution. As panelists of this round table, the eminent experts and representatives of relevant institutions were invited to discuss open questions and challenges related to the implementation of the key activities under the European Green Deal Strategy, and to expected changes of legislation, both at EU and Member States level. The panellists of the round table were Mrs Jill Michielssen, representative of the European Commission from DG Environment, Unit ENV C.1 Sustainable Freshwater Management; Missis Wendy Francken, EWA President; Mr. Stjepan Gabrić, a representative of the World Bank; and Missis Sanja Genzić Jurišević, the Head of the Department of Water Policy and International Cooperation, a representative of the Croatian Ministry of Economy and Sustainable Development. The round table lasted one and a half hours, and the panelists answered the moderator's questions. The moderators were: Professor Zoran Nakić, the president of the Organizing Committee, Professor Dražen Vouk, the president of the Scientific Committee and Dr Iva Vidaković Maoduš, member of the European Technical and Scientific Committee of the European Water Association.

In September 2022 the European Commission adopted and in October 2022 presented a proposal for a directive amending the Water Framework directive, Groundwater directive and Environmental quality standards directive. This proposal is part of the 2022 Commission work programme under the European Green Deal and is a key action in the Zero Pollution Action Plan. Ex-post evaluation and fitness checks of existing legislation in 2019 revealed that only limited progress has been made to achieving the overall objectives of the legislation. Furthermore, a 2019 fitness check evaluation of existing legislation and practices in Member States revealed inadequate integration of water objectives into relevant policies, inadequate investment in Member States in water-related projects and programs and inadequate implementation efforts. The proposal of new directive sought to

address the perceived shortcomings in actual legislation, particularly related to inadequate protection of ecosystems and human health from risk posed by emerging pollutants and implementation deficits due to a large variation in pollutants and quality standards in Member States, resulting in incomparable data at EU level. Updating the list of pollutants affecting surface water and groundwater, improving the monitoring networks and harmonization of approaches to prioritizing pollutants and determining environmental quality standards are some of the key goals of water legislation that need to be fulfilled.

According to timeline, the expectation of the EC is that they would have started the informal discussion between the EU Parliament and the Council earlier this year. The EU Parliament already in September 2023 has adopted its informal position and its mandate to start the negotiation, however the EU Council is a little bit behind. The Belgian Presidency is trying to take it forward as much as possible.

The new directive will result in the development of numerous technical specifications and implementation documents, as well as a system that will enable relevant institutions and implementing agencies to access member States raw water quality data in near real time. The main aim of this directive is to create a list of applicable quality standards to assess the chemical status of groundwater and surface waters. The proposal for the new directive envisages the establishment of a mandatory watch list for groundwater to gather more reliable data on potential groundwater pollutants. The need for harmonization of approaches to the collection and processing of raw data on water quality, including groundwater, is also mentioned, as well as the adoption of the so-called harmonized groundwater threshold values, which is new compared to the existing legislation. Furthermore, the intention of the directive is to allow the process to adapt better to advanced scientific knowledge and to address the new pollutants of emerging concern on a more flexible basis. The European Environment Agency, in charge of the reporting, and the European Chemical Agency, in charge of science-based assistance, have all necessary resources to execute this work. The implementing decisions that will be developed after the entry into the force of the new directive will specify how Member States are expected to deliver their data to agency in charge. Appropriate program interfaces have already been prepared to enable an easy transfer from EU MS databases to the common EU databases.

The CIS working group groundwater was very active in the past period and produced numerous technical documents and guidelines, related to e.g. groundwater chemical status assessment and risk assessment, as well as to the determination of threshold values of pollutants at the level of Member States. Recently, the Watchlist activity group has been operating within this working group with the aim of collection of monitoring data for Watch List substances (for example Pharmaceuticals and PFAS) from Member States, but on a voluntary basis. The CIS working group groundwater, as well as other WFD CIS working groups, will remain fully engaged in the implementation of the new directive.

European Water Association (EWA), with member associations from almost all European countries, is one of the major professional associations in Europe that covers the entire water sector. Although it acts, above all, as a forum for the discussion of key technical and policy issues in Europe and its regions, EWA strives to influence the drafting of legislative documents and guidelines when appropriate. The implementation of the new directive, amending the Water Framework directive, Groundwater directive and Environmental quality standards directive, will be very demanding for all Member States, and will have consequences for the entire water sector, especially small and medium-sized enterprises. EWA has several working groups, e.g. the European Policy Committee, dealing with policy issues and the European Technical and Scientific Committee, dealing with scientific and professional issues deriving from the policies, but also many other working groups which act with the aim of constant flow of information between national members and EU institutions. EWA has its representatives in the working groups operating within the CIS of the WFD, and thus actively contributes to the implementation of various EU directives. It is extremely important that the EWA representatives in the working groups convey the conclusions of the working group meetings to the EWA bodies, and the role of the EWA is to convey its views to the EWA members, but also to the European Commission. EWA is a partner in the Water Alliance that is a formal cooperation between different water associations, as well as in other important international associations with the aim of making EWA's voice heard, especially during formal or informal meetings with EU institutions.

Examples from MS, for example Croatia, in solving open questions and problems related to the process of implementing EU directives, especially the Urban Waste-Water Treatment Directive, revealed the need for intensive

cooperation between various stakeholders, both from the industrial sector and the economy, as well as from the public sector. The new obligations from the EU directives mean a large financial burden for individual member states, but also more time to fulfil all obligations, which must certainly be considered at the EU level as well.

The World Bank is a global institution which tries to solve numerous problems, e.g. in the water sector, all over the world. In certain countries of the world, the challenges faced by the experts of the World Bank are completely different compared to the challenges faced by the EU. The representative of the World Bank at the Round Table stressed that basically the fundamental difference between developed and undeveloped stems from the way services are organized, for example in the water sector, but also from the level of wealth of individuals. EU member states are undeniably among the most developed countries in the world in terms of water protection, water sanitation and monitoring. One of the problems facing the EU is the imposition of the same standards in all EU member states, which can potentially be a huge problem given the still significant differences in the level of development of MS. Meeting the required EU standards is very demanding for the economies of the new member states, regardless of the availability of numerous EU funds. Although, for example, Croatia recorded the largest increase in coverage when it comes to water supply and wastewater connection, this is still not enough, and more time and more resources are needed to reach the standards of the most developed MS. It is a particularly challenging task how to implement demanding restructuring and new investments in the water sector in new member states that have limited technical and organizational resources at their disposal, which have not changed over time. One of the key preconditions for the successful realization of any of water projects is the achievement of a consensus of all stakeholders on the purpose and goals of the project, but also on the clear distribution of responsibilities of the project participants, as well as on the appropriate coordination mechanisms that will be implemented within the project. For example, in Belgium, in the last two years, the practice has been that interested stakeholders and project participants sign a document, the so-called engagement declaration, before the start of the project implementation. In this way, the stakeholders express their will to participate in the project, but also accept all obligations and responsibilities that follow during and after the realization of the project. Furthermore, the need to apply

the concept of nature-based solutions in practice, but also in the legislation of each member state, was emphasized to be able to solve actual problems related to climate and land-use changes.

The issue of sludge management from wastewater treatment plants is present worldwide, including all European Union countries, and also in Croatia. Sludge management significantly varies among individual countries, even within highly developed EU countries. In Croatia, as in many other countries, there is a pronounced polarization within the fields of science and expertise, as well as among the general public, regarding acceptable solutions. While some advocate for sludge management on agricultural and non-agricultural lands (in the form of dehydrated sludge, dried sludge, compost, soil-conditioned sludge, ash, etc.) and are strong opponents of thermal sludge treatment, others support thermal treatment methods (including energy recovery) with the use of ash in construction, etc., and strongly oppose sludge management on agricultural and non-agricultural surfaces. Often, data and references from EU directives, various reports and guidelines are manipulated, claiming, for example, that the use of sludge on agricultural surfaces (whether in the form of compost or other) or thermal treatment (incineration, pyrolysis, gasification, etc.) are no longer favourable options at the EU level, and that the European Commission no longer supports them. However, the representative of the European Commission at the Round table clearly indicated that EC does not favour one solution related to sludge management over another, but the choice of solution depends on local circumstances.

Zagreb, April 25, 2024

Chairman of the Organizing Committee

Prof. Zoran Nakić, PhD