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Water – the European Union's Position and Vision

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Abbreviations

ACP-UE – African, Caribbean and Pacific states – EU cooperation
AMCOW – the African Ministers’ Council on Water
COE – Council of Europe
DPSIR framework - Driving Forces-Pressures-State-Impacts-Responses
EC – European Commission
EEA – European Environment Agency
EEA-EFTA - European Economic Area-European Free Trade Association
EU – European Union
EU MS – EU Member States
EUWI – European Union Water Initiative
IOWATER – International Office for Water
IWRM – Integrated Water Resources Management
MDG – Millennium Development Goals
OECD – Organization for Economic Development and Cooperation
RBMP – Rivers Basin Management Plan
SERPT – Specific Europe Region Priority Targets
WCC – World Council of Churches
WFD – Water Framework Directive
WHA – World Health Assembly
WISE – Water Information System for Europe
WWC – World Water Council
UNECE – United Nations Economic Commission for Europe
UN – United Nations

Water - the European Union's position and vision

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Abstract

Discussing the European Union (EU) vision of the best ways of promoting acceptance of and respect for the fundamental human right to water, is an extremely complex task. To develop discussion of the human right to water and the water's right concept is therefore a more reasonable task, and based on these theories demonstrates a true representation of the EU's position in this field.

The general but not exhaustive presentation developed here includes the EU contribution in achieving the Millennium Development Goals, and underlines the complex set of instruments and mechanisms the EU created or developed in the water sector during the last decades. Another dimension of interest, which is explored here is the implementation of initiatives carried out in relation to water and people's rights, and how this was coordinated and joined together at the regional and international level. The European Union has 28 national, independent Member States, with functional links between them and within the EU. These States also link with the different bodies and EU specialised agencies and organisations, with the support of the EU and cooperation with the third countries,¹ together with international organisations regionally and internationally.

The EU vision is integrative. The fundamental right to water is interconnected with the big family of human rights. The water strategies, policies, initiatives and programs, independent of or related to other fields of activity, are part of the overall picture of sustainable development, economic growth and environmental protection. Integration has two aspects: on the one hand, the relationship between the EU and its Member States, and on the other, between the EU Member States and the rest of the world simultaneously, for the benefit of all citizens, whether they be Europeans or not.

This paper aims to offer some guiding elements to other researchers for a better understanding of the European Union's position and vision in the water sector and of future directions, targets and priorities in this field, which bring, at the same time, arguments for the EU's well-deserved role in the international arena.

¹ This is a different concept from "third-world countries". The term is used by the European Commission to define any country of the world that doesn't belong to the 27 EU Member States and EEA-EFTA (European Economic Area-European Free Trade Association) states, which contains the 27 plus Iceland, Liechtenstein and Norway. EU third countries, including not only all countries on the world continents, but also states like Switzerland, Ukraine or Russia, geo-politically belonging to the European continent.

“Water is the driving force of all nature”

Leonardo Da Vinci

1. Introduction

The world we are acquainted with cannot exist without water, essentially making the right to water a reality that guarantees and largely supports the fundamental right to life. Indeed the right to water could be considered the most important of fundamental rights. Thus, it is implicit that wherever the debate on water and resources efficiency may lead, the right to water is so important that it transcends all other fundamental rights, as well as all strategic, political or economic related aspects.

The fundamental right to water is sometimes associated with the right of water itself, but not as a consequence of the latter’s development. As a formal distinction, the right to water belongs to the humanitarian juridical domain, and is related mainly to the international protection of human rights (being a right of cooperation and international solidarity), which guarantees its juridical status. The water's right – regarded more as norms and procedures ruling the international, regional and national use of water at all levels, has existed for a long time, enjoying quite a rich international jurisprudence. The origins and past evolution of the two rights are unquestionable, but, more importantly, today they are considered to be two sides of the same coin, interrelated and complementary. The right to water is a pathway for the evolution of the water’s right, and this right is necessary for enhancing the former. Furthermore, the right to water, fundamental to water politics, is related to health, hunger, education, the right to have a home, and is complementary to the rights concerning human dignity. Thus the right to water must be included in international, regional and local regulations.

One of the most ancient references to the right of people to water supplies, and methods used to regulate water consumption, is from King Solomon back in the 10th century BCE, and was confirmed by archeological discoveries.² According to Solomon, the water in a public well site could be used by pilgrims or other people, in small quantities and when it was absolutely necessary, or if they were living close by and had no access to water. Laws by Plato, written around 360 BCE, also discussed the fact that people needing water were entitled to get help from

² Some relevant remains were found in Jerusalem, like an old water reservoir archeologically discovered to be used by pilgrims 2,600 years ago, linked to King Solomon's temple existence. Source: <http://www.nbcnews.com/id/48962218/#.UQ2Mu6VpsdU>.

their neighbours, but only for necessities limited to personal use.³ Desert traditions and religions, reflected in the Bible, stated care for thirsty people and animals. Later, the Koran⁴ recognises that water is the basic component of each and every living organism, promoting the importance of water balance in the environment, as well as the right of the people to water and provision thereof, as part of the obligations of the rich to the poor. Water sources/supplies were and remain one of the common wealth elements of humanity and the reason for endless invasions and wars. A history lesson (that never seems to be learned) would be to start considering water as a unifying element⁵ through all possible means, which continues to be, as described by the World Water Council (WWC)⁶ “a source of risk and vulnerability”.

Leonardo Da Vinci’s previously mentioned quote could be found in the opening of the EU's 2012 Blueprint to safeguard Europe’s water resources, one of the most important actions in the water field that the EU focused on in 2012. One could argue that his words could be used as a connector between the association of water with human rights, and the environmental evolution of said rights. The profound meaning of Leonardo Da Vinci’s words could account for the reason why the year 2012 was nominated by the European Union Commission as the European Year of Water. Moreover, 2013 was launched as the United Nations Year of Water, serving as a continuing reminder of the importance of the challenges to be faced by the whole world, and as a permanent invitation to keep the issue high on all levels of political agendas.

I started writing this paper with the intention of highlighting the essentials of an exceptionally vast subject, and of providing the reader with some hints for a better understanding of the EU’s position and its important involvement in the matter. This would include the EU’s vision on the

³ Book VIII of "Laws by Plato". Book VIII was translated by Benjamin Jowett and can be studied in the Internet Classics Archive by Daniel C. Stevenson, Web Atomics. World Wide Web presentation, copyright 1994-2000, available on the web site: <http://classics.mit.edu/Plato/laws.8.viii.html>.

⁴ The Quran is the central religious text of Islam, verbally revealed to the Prophet Mohammad in the 7th century AD.

⁵ The theme was addressed in 2003 by the General Assembly of the Christian European Network for the Environment (ECEN) and since then the concern about water has been growing in the churches of Europe. In February 2006 the World Council of Churches proposed the establishment of an Ecumenical Water Programme, which was meant to provide a link and a platform for the activities of churches throughout the world. Relevant documents can be found through the WCC website: <http://www.wcc-coe.org>. Related to water and environmental care as reflected in Christianity, more details can be found via the website http://www.earthcareonline.org/creation_care_websites.pdf.

⁶ Source:<http://www.worldwatercouncil.org/index.php?id=88&L=%20nf...blurLink>. The World Water Council is an international multi-stakeholder platform. It was established in 1996 on the initiative of renowned water specialists and international organisations, in response to an increasing concern about world water issues from the global community. The Council's action for the triennial period until 2015 is oriented towards bringing people together through active hydro-diplomacy, exploring new ideas and concepts and encouraging dialogue development, experience-sharing and networking. Available at: <http://www.worldwatercouncil.org/about-us/vision-mission-strategy>.

development of policies based on its approach to the realities, progress, and concerns over existing global problems to be solved in the water sector, without treating the subject exhaustively. My curiosity to find out more took me to a fascinating universe of interrelated and interdependent sectors, laws, institutions, personalities, funds, bureaucratic processes, different social and political sciences, conferences, directive and programs, where the human right to water is not only integrated, but represents an integrative part of all the equations. Looking to relate the fundamental right to water, sanitation and a clean environment to the EU's strategies, policies and actions, I encountered a challenging research task due to the complexity of the EU's approach regarding this topic. Jo Leinen's opinion,⁷ when asked about the EU's priorities in the water sector, was "it is difficult to identify one single priority for the EU, so I would call for mainstreaming the challenges of the future water supply on all levels of policy-making, from the global to the local level".

As the EU steps in, developing the actual position is important for a better understanding of the topic, the paper gradually approaches the evolving EU commitments in the water sector. Considering the ever-growing legislative database, also supported by non-legislative, more flexible solutions, it is customary to find that each stage of the EU's positions, actions and developing vision on water was constructed on the evaluation of the strength and failures of the previous one. At the same time, it is praiseworthy that any rule, reform or decision was to be carried out, not by one state or by a federation of states, but by 27 independent national states. It was a very difficult task, impossible without developing step by step specific European instruments, mechanisms or initiatives: locally, at each Member State level, coordinating the Member States of the EU, and in the relationship between the European Union and the rest of the world. Consequently, nowadays in the implementation of reforms, Europe is one of the most active and advanced regions in the world in protecting the human right of its citizens to water, preserving and managing in the most effective way possible the resources and the environment, while remaining an active player on the international water arena. The present paper attempts not only to underline the significant EU and Member States' work that made this possible, but points out certain tangential issues which are relevant but not discussed in-depth, as they are peripheral to the approach of my work.

⁷ Jo Leinen, Chairman of the Committee on Environment, Public Health and Food Security in the European Parliament in an interview on 31 March 2011 published on the web-site of European Water Partnership organisation. Available on the web-site: <http://www.ewp.eu/interview-details/?type=interviews&id=10>.

Before approaching the EU's international vision and evolution in the field, I found it important to share commonly known regional and international information, relevant for the fundamental right to water and sanitation. This is to be used as background for positioning the EU's achievements in the water sector, and also relate to a better understanding of progress of European involvement and participation in the Millennium Development Goals process.

2. The evolution of the EU and Member States' commitments in the water sector

2.1 General facts and figures

Europe, as a continent, was always considered to have adequate water resources, but with the unfortunate damage caused by the pressure of economic development, not only did the demand for water exceed the supply, but this resource was not properly managed. When updated with figures and statistics, existing records have become truly alarming. It was estimated that in 2007 at least 11 per cent of Europe's population and about 17 per cent of its territory was affected by water scarcity, with the alleviation costs over the last 30 years exceeding 100 billion Euros.⁸ Moreover, in geographical terms, and as a consequence of climate change due to rising temperatures, the water problem could extend, affecting over 500 million Europeans. The old European continent encounters other unexpected problems: many Member States need tremendous investment to upgrade their long-standing infrastructures, or to ensure access to water and sanitation for their ever-expanding populations. Europe's marine and river ecosystems were affected by pollution; fresh and underground waters were spoiled by deliberate or unintended low quality management, and alterations were registered in land use, as climate change variables began to be more than visible. According to the European Environment Agency's recent report relating to the ecological status, "the worst areas of Europe concerning ecological status and pressure in freshwater are in central and north-western Europe, while for coastal and transitional waters, the Baltic Sea and Greater North Sea regions are the worst" (Kristensen 2012: 8-9). To address the situation, according to the official data from 2007 to 2013, the EU allocated about 14 billion EUR from its Structural Funds for water and sanitation (Frerot 2012: 5). Simultaneously, one of the EU priorities was the development of a water-efficient and water-saving economy, protective of the environment. The European strategy

⁸ Water Scarcity & Droughts in the European Union, available on the European Commission web-site: http://ec.europa.eu/environment/water/quantity/scarcity_en.htm.

materialised in creating and integrating the juridical framework, by promoting and financing updated programs in order to solve the interrelated complex problems (Zlatescu 2006: 274).

In the EU water field the concept of integration is one of the most used ones (a basic principle of EU coordinated performance) (Lenton & Muller 2009: 8). In the water sector, the meaning of this term associates the natural systems with the human ones – essential factors on coordination and on the development of priorities (i.e. the related aspects of economic sector interests). Across the vertical level of the decision-making scale, from the base/local decision responsible for the national and EU level, all actions are interrelated in dual ways, with reinforcing and complementary roles. As an example, for a long river basin, the integration from local, to the river basin district, to a national EU approach is the key to efficient and effective management along the entire river. In this case the ‘vertical’ integration of the different levels of administration is complemented (Werner 2012: 40) by a horizontal integration between the water-using sectors: agriculture, transport, fishery and energy for example. In terms of policies, the EU is mainly providing principles, guidance and implementation programs or funding, so the real integration comes from harmonisation between the EU’s institutions and its Member States, as well as between the national administrations. In the latter case, by accepting the change and with their knowledge of local conditions, local managers become responsible for concrete measures and for horizontal coordination at the same level. Integration is interlinked with the principle of transparency. Considering only the European Environment Agency assessments (reports quoted in this paper), the evaluations provided rely on the data and other information delivered by the Member States. There are still gaps or contradictions, different phases of implementation of a common classification system and incomplete impact analyses, but compared with the situation before the Water Framework Directive (WFD), it is evident there is an improvement of the knowledge base. Furthermore, transparency was also increased through information gathering on various specific characteristics and effects, resulting in the creation of common strategies for addressing uncomfortable situations.

Another approach to be mentioned – and an important characteristic element of European water policy – is an extensive public participation in this process, as long as the sustainable EU water policy is considered a means to ensure proper access to drinking water and a correct use of European water supplies and reserves for all EU citizens.

There are two important reasons traditionally considered,⁹ which led to the good results Europeans experienced. One is related particularly to human nature; as long as the decisions could possibly affect the balance of interests of various groups, it is essential to open the process for evaluation to the people involved and/or affected. The second motive concerns the implementation of the decisions and the process itself. In direct proportion to the objectives' transparency, measures and standards to be imposed would be for Members States to adopt in good faith the EU common legislation; this is the point where the integration issue becomes vital. Nevertheless, States should accept the power of citizens being increased by various democratic means, to having a real say in environment protection. Member States should also encourage a more active role by all political parties and NGOs, and involve all stakeholders interested or related to the processes. One will note that these measures may not always be endorsed willingly by the various administrations.

2.2 The development course of the EU commitments in the water sector

The beginning and the history of EU commitment regarding protection of the environment apropos human rights, though not always explicitly, was part of the EU development itself, as reflected from earlier times in all the Union's agreements (Hey 2005: 21-25). As was the case all over the world until the 1960s, European development of an industrial society had not obviously considered the environmental consequences. Economic development and poor ecological management resulted in widespread and substantial pollution all over Europe.

In conjunction with the first UN Conference on Human Environment held in Stockholm in 1972, for the first time at the European level, the Heads of State and Government Conference decided that a common policy on the environment was necessary (Zlatescu 2004: 3). The decision was followed by the first European Environmental Action Program, which covers, albeit in embryonic formulas, many of the sustainable development directions that were agreed on subsequently. Emphasising the comprehensive impact of other policies, a series of community regulations, directives and programs was created to avoid or diminish environmentally damaging activities. Among the most important issues at hand were water protection and waste, perhaps due to their direct and visible influence on the lives of communities. It was at the same time a familiar problem to start with, an easier approach, a common language and a step forward towards an integrated environmental framework. Consequently, early European water legislation

⁹ *Getting Europe's Waters Cleaner, Getting the Citizen Involved: the New European Water Policy*. Available on the web-site: http://ec.europa.eu/environment/water/innovationpartnership/index_en.htm.

begun in 1975, with standards for the water of rivers and lakes, reached the targets set in 1980 for implementation on European drinking water (legislation on the quality of ocean/sea/lake/river waters, bathing water, groundwater and the adoption of the Dangerous Substances Directive). The second phase in the European water legislation framework began after the 1988 Frankfurt ministerial seminar on water, when the legislation was reviewed and new strategic directions were decided. The adoption of the Urban Waste Water Treatment Directive, the Nitrates Directive, a new Drinking Water Directive and a Directive for Integrated Pollution and Prevention Control, followed.

Under the pressure of previously assumed initiatives and the launch of the debate on global environmental risks, the Single European Act enlarged the juridical base.¹⁰ This offered a political framework for new commitments in the strategic reorientation of environmental policies in the European Community, gradually losing the status of ‘additive policy’, towards integrating them as part of economic decision-making.

The Treaty of the European Union was very important for settling cooperation-guiding lines between Member States.¹¹ The Amsterdam Treaty continued to underline the importance of environment policies in the EU, introducing the sustainable development principle, which shortly after became one of the major goals of the EU.¹² The Treaty of Nice (2001) consolidated the achievements in the environmental fields, while the Treaty of Lisbon (2009) established a unique framework of all the previous decisions,¹³ maintaining pressure on human rights and environment protection.

¹⁰ Single European Act, signed on 28/02/1986, entered into force on 01/07/1987 and was published in the Official Journal OJ L 169 of 29/06/1987.

¹¹ *The Treaty on European Union (Maastricht Treaty)* entered into force on 01/11/1993 and was published in the Official Journal OJ C 191, 29.7.1992. The European policy guidelines enlist as main objectives to preserve, protect and improve the environmental quality, to protect human health and to use natural resources in a rational way moving forward, to promote internationally (regionally or worldwide) protection of the environment. Art. 130-r specifies that the decisions need European Council consensus; the Commission's decisions to address the environmental issues should be based on prevention and finding/eliminating the source of pollution. As total responsibility to develop environment policies and to support them belonged to the Member States, the obligation to finance environmental rehabilitation would belong to the polluter. See also Schamps G. *La mise en danger, un concept fondateur d'un principe general de responsabilite - analyse de droit compare*, Bruxelles-Paris, ed Bruylant, L.G.D.J 1998, p. 156-157.

¹² *The Treaty of Amsterdam*, entered into force on 01/05/1999 and was published in the official Journal OJ C 340, 10.11.1997. Art. 6 requested the integration of environment protection in all sectorial policies of the Community as a general disposition.

¹³ *The Treaty of Lisbon* entered into force on 01/12/2009 and was published in the official Journal OJ C 306, 17.12.2007. Article 191 of Lisbon Treaty (ex Article 174 of the Maastricht Treaty) stipulates that Union policy on the environment has as its objectives to preserve, protect and improve the quality of the environment; protect human health; rational use of the natural resources and combating climate changes. It is integrating Article 11 (ex Article 6 of the Maastricht Treaty) which makes the provision that the requirements for environmental

At the executive level, to eliminate possible sources of economic barriers inside the common European market and to harmonise the progress of the technology with environmental necessities, the European Commission adopted a juridical model in 1991. The unusual approach relating to mandatory, targeted environmental standards and water issues,¹⁴ preserved the internal market union. This initiative prevented various alternatives and derogations promoted by the Member States, guaranteed a common vocabulary and shared evaluation instruments. At an international level, the initiative offered the EU independence related to Third Countries, marking the moment of the presence of the EU in the improvement of the international water sector.

In the framework of the European Union Treaties, and in accordance with the request of the European Parliament's Environmental Committee and the environment ministers of the Member States, the European Commission proceeded in 1995 to a fundamental rethinking of the EU approach to the water policy, building a new action plan and direction. The result was the adoption in 2000, by the European Parliament and the European Council, of the comprehensive Water Framework Directive that radically changed the European approach to water issues.

2.3 The Water Framework Directive (WFD)

The Water Framework Directive, with a title clearly defining its objectives, established a water sector framework for all Member States¹⁵ (28, including the newly-joined Croatia), and long-term regulations and conditions for a sustainable use of water, addressing biodiversity and the quantitative and chemical status of surface and ground waters. In fact, the WFD represents a valuable and effective European legislative instrument, supporting (in a unitary notion) the creation of common terms and conditions in the field of water policy.

Once it clarified where the pressures affecting the water bodies are coming from (mainly from pollution, morphological and hydrological changes), the WFD offered the possibility to the EU

protection must be integrated into the definition and the implementation of Union policies and activities to promote sustainable development, remaining also a shared responsibility within the Member States.

¹⁴ The model was organised in two stages: one, supposing the introduction by the European Commission of the highest environmental standard, according to Art. 100 of the Community Treaty (Art. 95 of the Amsterdam Treaty) based on the technological development of the moment and mandatory for all Member States and two, requesting the Council to establish a target corresponding to the highest level of reasonable possible protection based on top technologies and researches.

¹⁵ *The Water Framework Directive* – Directive 2000/60/EC of the European Parliament of the Council of 23 October 2000 on establishing a framework for Community action in the field of water policy (consolidated version), Official Journal L 327, 22/12/2000. Available on the web-site:<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0060:en:HTML>.

environmental strategists of integrating water management in other interconnected policies, where it had an important role to play, in areas such as health, energy, agriculture, fisheries, food security and transport. Aside from simultaneously taking into account the Community/Union and the Member States levels of decision and responsibilities, the WFD revealed the diversity of conditions and requirements which established different standards and specific solutions to be considered with the problems in the portfolio.

Another important feature of the WFD was the incorporation of previous efforts in the field, and of all the conclusions of earlier European forums to, taking over all programs from those in incipient phases or in different development stages, to the feedback phase developed under other water related EU Directives.¹⁶

In the larger context of the WFD Common Implementation Strategy, the European Commission was building reliable responses to the requirements of the WFD, such as issuing Groundwater Directive 2006/118/EC (requested by Art. 17 of the WFD). This meant representing specific legislation on preventing further deterioration of the ecological status,¹⁷ or by launching other directives, such as the strategies against chemical pollution of surface waters.¹⁸

The EU-WFD Common Implementation Strategy originated as per a unique process, which was continuously being monitored and improved. In 2007, the Directorate General for Environment of the European Commission organised the First WFD Implementation Report which was debated during the European Water Conference,¹⁹ while also celebrating World Water Day. With over 400 participants, the occasion was used for launching the Water Information System for

¹⁶ The Bathing Water Directive (76/160/EEC); the Birds Directive (79/409/EEC); the Drinking Water Directive (80/778/EEC) as amended by Directive (98/83/EC); The Major Accidents (Seveso) Directive (96/82/EC); The Environmental Impact Assessment Directive (85/337/EEC); the Sewage Sludge Directive (86/278/EEC); The Plant Protection Products Directive (91/414/EEC); Urban Waste-water Treatment Directive (91/271/EEC); The Nitrates Directive (91/676/EEC); The Habitats Directive (92/43/EEC); The Integrated Pollution Prevention Control Directive (96/61/EC).

¹⁷ *Environmental objectives and exemptions*, was defined in Art. 4 (the core article) of the WFD. More details on the web-site: http://ec.europa.eu/environment/water/water-framework/objectives/index_en.htm.

¹⁸ The strategies against chemical pollution of surface waters, provide measures to address wide concern over the substances at EU level and for local or national concern (mainly river basin specific pollutants) at Member States level. Details about water pollution, respectively the Discharge of dangerous substances Directive (Directive 76/464/EEC) are available on the web-site: http://ec.europa.eu/environment/water/water-dangersub/76_464.htm. In 1980 the protection of groundwater was taken out of 76/464/EEC and regulated under the separate Council Directive 80/68/EEC (1) on the protection of groundwater against pollution caused by certain dangerous substances. The Commission Directive 2009/90/EC on technical specifications for chemical analysis and monitoring of water status is available on the web-site: <http://ec.europa.eu/environment/water/water-dangersub/index.htm>.

¹⁹ European Water Conference, Bruxelles 22-23 march 2007. Documents and presentations related to the Conference are available through WFD CIRCA library, on the web-site: <https://circabc.europa.eu/faces/jsp/extension/wai/navigation/container.jsp>.

Europe (WISE).²⁰ The second implementation report was published in 2009 and debated during the 2nd European Water Conference, establishing monitoring programs for surface and ground waters. The third implementation report (2012) continued the assessment of the River Basin Management Plans, and looked for better ways to reach the planned WFD objectives at the end of the decided cycles: 2015, 2021 and 2027. Important objectives in the WFD are related to achieving the good status of waters by 2015 (extensions of the deadline barely allowed). Accordingly, if in 2009 only 42 per cent of all surface bodies reached good or ecological status, in 2015 this is expected to rise to 52 per cent. For the groundwater bodies, in 2009 80 per cent was registered with the good chemical status predicted to rise to 89 per cent in 2015, and the 87 per cent good quantitative status held in 2009 expected to rise to 96 per cent (Kristensen 2012: 10-11).

The River Basin Management Plans (RBMP) was one of the most important WFD initiatives going forward in implementing a single system of water management in the EU Member States, strengthening in this way the already existing regional framework, known as the European Water Convention²¹ (an important regional treaty presented later in the paper). Europe, as a continent, is rich in river basins trespassing several administrative or political borders; a common way of dialogue was therefore crucial, as well as a single common, transparent administration for the whole system of water course, treating it as a hydrological and natural geographical entity.²² Benefiting from the full participation of the European states (members or non-members of the EU), the system was due to ensure the equity of water usage, the transparency of measures and activities, and decision- making accountability.

Climate change was another issue of interest from the EU water strategy point of view. With regard to the WFD, and in order to offer Member States necessary guidelines related to the implementation of the climate change variable in the water policy projects, a dedicated EU activity direction was initiated in 2007. Thus, the Water Directors agreed in 2008 on key policy

²⁰ *The Water Information System for Europe (WISE)* is a partnership between the European Commission (DG Environment, Joint Research Centre and Eurostat) and the European Environment Agency, known as “the Group of Four” and their leaders as “the Water directors”. More details about the role and responsibilities of each member, the Group interaction with other environmental policies or the development of the information programs and researches are available on the web-site: <http://water.europa.eu/>.

²¹ The Water Convention was signed in 1992, in Helsinki, by the member states of the United Nations Economic Commission for Europe (UNECE).

²² According to the WFD, each river basin needs an agreed River Basin Management Plan (RBMP), on long-term cycles to be effective, adapted to its specific conditions and requirements. By reviewing the Plans regularly, the coordination between states is adjusted smoothly and any difference of vision on related issues clarified. Positive examples to consider are the Maas, the Schelde or the Rhine river basins management plans. The first cycle closes soon and the climate change should be fully integrated into the management process of the river basin during the 2nd and 3rd RBM cycles.

messages,²³ and put the fundamentals of an EU Guidance Document across different sectors and levels of governance. This initiative was mentioned as a priority when the EC's White Paper on Adapting to Climate Change²⁴ was launched in 2009. The Guidance Document was created for the use of the specialists and state authorities responsible for the Rivers Basin Management Plans, including floods and drought risks, and also regulating the 2nd and 3rd RBMP cycles (2015-2027).

In Europe the frequency of variations in heavy precipitation registers, the intensive use of land and climate change conditions, are increasing the flood risks. It is a standard procedure to set objectives and, if possible, to establish effective counter-measures. The Floods Directive²⁵ has some common characteristics with the WFD, such as the preparation of management plans, the consultation process, and the evaluation and feedback of the outcomes, but it is more safety-oriented as floods directly affect people socially and economically. On the other hand, the water scarcity and droughts confronting Europe, have been acknowledged in a relevant Communication document²⁶ issued by the European Commission in 2007. Since then, the implementation review of EU strategy on droughts and water scarcity was made on an annual basis, through subsequent reports. An extended review of European policy related to water scarcity and droughts was prepared as part of the "Blueprint for Safeguarding European Waters", a comprehensive assessment launched at the end of 2012. The next significant amendment of WFD, according to the program, would need to be included in the 2019 review.

2.4 The continuously improved process of the EU's policies in the water sector

Besides following the 2000 WFD, in 2011 the European Commission launched a Roadmap to a Resource Efficient Europe,²⁷ as a complementary and long term vision. The purpose is to

²³ *The Climate Change and Water EU Policy* messages concentrated on: EU water legislation and the support offered for adaptation to climate change; the integration of climate change policy with other policies; how the initiative was unfolded on the first river basin management cycle and its future role.

²⁴ *EC's White Paper on Adapting to Climate Change* (Brussels, 1.4.2009 COM/2009 147 final) published on the web-site: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0147:FIN:EN:PDF>.

²⁵ *The EU Floods Directive* 2007/60/EC aims to reduce the risks and consequences floods have on human health, environment, economic activities or cultural heritage. The plans also focus on prevention, protection and preparedness by 2015. More about this Directive on the web-site: <http://floods.jrc.ec.europa.eu/eu-floods-directive>.

²⁶ *The European Commission Communication: Addressing the challenge of water scarcity and droughts* COM(2007)414, addressed to the European Council and the European Parliament, available on the web-site: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0414:FIN:EN:PDF>.

²⁷ *The Roadmap to a Resource Efficient Europe* (COM(2011) 571 - Available on the web-site: http://ec.europa.eu/environment/resource_efficiency/about/roadmap/index_en.htm. For more details read the *Analysis associated with the Roadmap to a Resource Efficient Europe* - the EU Commission Staff Working Paper SEC(2011) 1067 available on the web-site: http://ec.europa.eu/environment/resource_efficiency/pdf/working_paper_part1.pdf.

transform Europe's economy by 2050 into a competitive, sustainable one, with milestones to be reached by 2020. It is essential that the initiative and the related Roadmap recognised the importance of the water sector, acknowledging water as a vital element for the development and good functioning of the European economy. The actual Europe 2020 strategy is supposed to follow three main aims: Smart, Sustainable and Inclusive Growth, focusing on the achievement of a positive and solid status in the EU water bodies, concentrating on the decrease of water stress related to a normal ecological condition, as well as reducing vulnerability to climate change.

With reference to the continuous progress of WFD, following the 2010 assessment on the quality and the status of the water resources, the European Environment Agency specified in its report that due to existing conditions in the EU, the situation was not favourable for reaching the 2015 WFD recognised objectives.²⁸ As part of the efforts to decrease the vulnerability of the European population concerning water challenges, the Commission had to get the situation back on track, delivering realistic solutions to address the circumstances. Consequently, in 2010 the European Commission launched the “Blueprint for Safeguarding European Waters” consultations. As a result of the special characteristics of the Union, there are also limitations to the capabilities that the EU policy/strategies have at a political, and especially at an economic, level to deal with its Member States (some economic instruments such as taxation or land planning), which are solely under the management of those Member States.

The financial arrangements of the status and goals for the water frameworks of Member States in the various interconnected fields are different; the stages of implementing EU water regulations/legislation are also dissimilar, as well as their specific national political approaches. To encourage a desirable economic integration, deeper social and environmental analysis, effective planning and growing transparency at the EU level, the necessary sustainable conditions could easily be achieved. Also, it is important for the whole process to respect the policy of small but steady steps, which needs time and, as much as possible, rigorous planning. The “Blueprint” debate framework focused on developing cooperation between the Member States in the water sector, on protecting water resources by respecting the already adopted regulations, by finishing the ongoing implementation of legislation, like the very important Urban Waste Directive, or combating pollution at the sources. The exploit of alternative resources was thus examined, in order to rebalance the demand for water with that available. In

²⁸ *The European Environment – State and Outlook 2010: Synthesis*, State of environment report No1/2010 available on the web-site: <http://www.eea.europa.eu/soer/synthesis/synthesis>.

this respect, Europe should follow the example of other countries, turning its attention to sea water as an alternative “unlimited” supply possibility, increasing the number of desalination plants and, as a future technology, considering the reuse of treated waste-water. A new economic model of water services adapted to cover the needs of citizens received attention too.

Finally, the 2012 “Blueprint to Safeguard Europe’s Water Resources” was not a simple WFD review, but a complex process concentrated on better implementation, increased integration and a completion of the existing EU water policy. The Commission did not treat the issue as an isolated one, but as a strategic approach to safeguard EU waters, adopting the most appropriate policy initiatives. By conducting the wide internal and external consultation process already mentioned, cross-cutting analysis, and linking other studies and projects, the Impact Assessment (IA) of the Blueprint benefited from the contributions of an inter-service group on Impact Assessments, whose report gave a clearer picture of the situation. The development of the Blueprint was based on the results of some important documents covering different fields, such as the assessment of River Basin Management Plans (RBMP), the review of the Water Scarcity and Droughts (ESD) policy, the review of the vulnerability of water and environmental resources to climate change and the Fitness Check of the EU’s freshwater policy. The Blueprint debate pointed out a wide range of possible policy instruments or interventions to be used, appropriate to address the problems, as regulatory standards, economic incentives, planning, information, and procedural instruments. It also discussed “softer” alternatives, seldom applied alone, most of which are already used in taking forward the EU water policy.

In the Blueprint, the European Environment Agency (EEA) adopted an analytical framework, known as the DPSIR framework,²⁹ in order to identify the driving forces (economic sectors, human activities); pressures (emissions, land degradation); states (physical, chemical and biological); and impacts on ecosystems, human health and functions which lead to political responses (prioritisation, target setting, and indicators), which are the main issues influencing the state of European waters.³⁰ All these drivers are directly or indirectly affected by EU policies (be they water policy, sectorial policies such as the Common Agriculture Policy or broad strategies such as Europe 2020). The report identified twelve specific problems,³¹ also offering policy

²⁹ The DPSIR framework (Driving Forces-Pressures-State-Impacts-Responses) is used to assess and manage environmental problems

³⁰ *Assessment of Policy Options for the Blueprint – Final Report*, Service Contract to Support the Impact Assessment of the Blueprint to Safeguard Europe’s Waters, 13 November 2012, available on the web-site: <http://ec.europa.eu/environment/water/blueprint/pdf/FINAL%20REPORT%20LOT%202%2013%20Nov.pdf>

³¹ *Ibid*, p 47: current water pricing levels do not provide adequate incentives to increase water efficiency; the insufficient use of metering for individual users; demands for scarce water resources globally may lead to an estimated 40 per cent supply shortage by 2030; land use impacts and, in particular, impacts on agriculture; the

options to address each issue, widely debated in the preparation of the Blueprint project. In light of the strengths and weaknesses of the existing regulations, as well as the fact that there are important problems for the EU Member States to achieve the objectives already required by EU law, in addition to the significant challenge imposed by extreme events such as droughts and flooding with substantial social, economic and environmental consequences on Europe, the Blueprint debate pointed out the gaps to be addressed.

The successes and failures of EU water initiatives and activities are part of a continually improving process that is unanimously admitted and recognised. There are still gaps to be addressed, and lots of examples to bring forward. The terms and concepts sometimes less defined, or missing elements when creating new directions, are encountered in any domain of activity, and the water field is no exception. In this context, when talking about the ecological status of water bodies, a central element of the Water Framework Directive was the requirement to obtain a good ecological status/potential in all Europe's water bodies. Nevertheless, this did not offer from the beginning a quantified solution/precise value for ecological status evaluation.³² The Urban Waste Water Treatment Directive used the expression "whenever appropriate" when setting the rules for treated waste water, while the Habitats Directive specifies that necessary conservation measures have to correspond to ecological requirements without providing a definition or clarifications of the concepts.³³ The water quality standards requested by the Directive on Priority Substances (2008/104/EC) are, by themselves, not enough, because the ecological problem needs a complex solution. The Common Implementation Strategy (CIS) addressed some of the issues related to the determination debate during the Drinking Water Directive, and specified that the quality of the water should be clean and wholesome. To avoid deterioration, safeguard zones were encouraged to contribute to the long-term protection of available water resources and several guidance documents have been published to clarify concepts and expected policy decisions from the Members States. The quantitative aspects of the water policies follow suit. The Floods Directive (2007/60/EC) asked assessments of the risks as well as of flood management planning, but did not define real targets. Similarly, the 2007

design of building and water using appliances; leakage in distribution systems; no common standards for water reuse; Governance of water and sectoral policies at Member State level are, in some cases, fragmented and face a lack of capacity and resources to fully address water management objectives; droughts; poorly implemented water allocation mechanisms; costs and benefits of water related measures are not properly understood or quantified; insufficient dissemination and sharing of compatible data and other information.

³² Ibid, p. 21-22.

³³ The Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, the consolidated version (2007) published on the web-site: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:01992L0043-20070101:EN:NOT>

communication on water scarcity and droughts, decided on policy options, but not on a quantifiable policy target to reduce water use, without clear obligations for the Member States. In 2011 only one such policy target was introduced by the Roadmap to a Resource Efficient Europe (COM 2011/571), that of ensuring that the level of water abstraction of available renewable resources would remain below 20 per cent. The legal requirement to address water scarcity and drought issues would be the next step. As the 2012 “Water Scarcity and Droughts Policy Review” was based on the periodical Follow-up results assessments of the RBMP, it concluded that unfolding the seven policy instruments identified in 2007 by the EC, registered some progress but it did not reverse the droughts and water scarcity trends. Consequently a stronger accent on quantity issues in the implementation of WFD in sectoral policies would be important, as well as more measures targeting key drivers to be applied by the Member States. On the occasion of the third RBMP assessment, finalised at the end of 2012, the published review³⁴ reconfirmed that progress towards established objectives existed, but the already established status would not be reachable in 2015 for a significant proportion of water bodies. In the Commission’s Report on the issue³⁵ the main problems encountered in each Member State are identified and underlined in figures that the hydro-morphological pressures, the pollution and the over-abstraction continue to be the main challenges on the water environment. The identified policy gaps and concrete options would be addressed in another document related to the “adaptation to the climate change” strategy, foreseen for 2013.

There are many imperfect issues that need critical observation and advice on an ongoing basis. It is important to understand the ways in which the European Union is organising all activities, the reasons for its actions, international positions and current vision in the water field, and not least the importance of the real efforts achieved by all European Member States under EU coordination. All topics mentioned, just recalled or missing from my short revisit, highlight that the water issue in the European Union is a real process, and in continuous evolution. Due to the steady EU implementation of water regulations that are mandatory for its Member States and which actively influence other European neighbours, the European region was one of the first to encounter a profound transformation at the political, economic, and social level. This allowed it to develop the required expertise to face its own challenge focused on the wellbeing of the people and on the observance of their rights. Under a permanent process of adjustment to the

³⁴ Commission findings: key messages and recommendations on the web-site:
http://ec.europa.eu/environment/water/water-framework/pdf/COM-2012-670_EN.pdf

³⁵ Report from the Commission to the European Parliament and the Council on the Implementation of the Water Frame Directive (2000/60/EC) – River Basin Management Plan, text with EEA relevance, reachable on the web-site
http://ec.europa.eu/environment/water/water-framework/pdf/COM-2012-670_EN.pdf

new developments and necessities, Europe is nowadays one of the most advanced regions in terms of water legislation and policies. Having become a leading international actor, the EU played an important role in promoting water on the global political agenda, also being able to offer its support and experience to accomplish the international commitments on the water-related Millennium Goals.

2.5 2012, the European Year of Water

2012 was the important deadline of the European Union for unveiling the Blueprint to Safeguard Europe's Water and the Fitness Check on Environment Evaluation. As the EU's involvement and progress in the water sector represents a continuous process, the "European Year for Water" was perceived as an assessment moment, an occasion to let everybody know – inside and outside the EU boundaries – what was achieved, and what remains to be done, while offering to share the accumulated experience with any interested international bodies.

In 2012 the European Union Water Initiative celebrated its 10th anniversary, which placed water at the core of international development policies (to be discussed in more depth at a later stage of the paper).

2012 was the year of the 6th World Water Forum, organised by France (an EU country hosting the event again for the first time since the 2000 forum was held in The Hague), an important evaluation involving the European progress in two ways: adaptation to climate change in the European Union, and EU cooperation with Third Countries.

2012 also marked the 20th anniversary of the UNECE Convention on the Protection and Use of Trans boundary Watercourses and International Lakes, which had great influence on the progress made by the European rivers management cooperation. (Details regarding this subject will also be discussed later in this paper.)

2012 was the year of Rio+20 Earth Summit, an internationally awaited event meant to identify new directions of progress in the world's sustainable development, with water as a topic on the agenda.

Through studying these important EU 2012 water sector milestone events, each with a constellation of supportive activities, and gathering information regarding the position and the achievements of the European Union in this context, this research sought to unveil some of the remarkable work the EU and its Member States developed on different levels. This includes the instruments and mechanisms put in place, with the highest degree of involvement in the global

arena, combined with real efforts for reducing the deficiencies in the European region. Considering the integration process of the Member States as well as the achievements in facing the EU specific necessities and challenges, the efforts can be considered as valuable and the results more praiseworthy, in spite of any gaps or failures to address certain aspects of the issue or future challenges.

The water process within the EU, as presented above, endorses an internationally leading position for the European Union; the second part of this paper reflects the interrelated /complementary global efforts and the strong EU involvement in achieving the water-related human rights in the context of the Millennium Development Goals.

3. The EU's evolution on the water sector in the international arena

3.1 International and regional background elements related to the fundamental human right to water and sanitation

To gain a better understanding of the complexity of the EU and the mission of its Member States in promoting and respecting the fundamental right to water, it may be useful to briefly revisit the general situation and its international and regional (European) background elements.

3.1.1 The Millennium Development Goals

In 2000 the Millennium Development Goals (MDG)³⁶ reassessed water-related complex issues and persuaded actions for improving the situation worldwide. Proven by all recent statistics and figures released, the initiatives at the United Nations level, as well as regional and national efforts on clean water, sanitation and water supplies, achieved huge steps as part of the process of sustainable development and poverty eradication. According to a WHO/UNICEF Report³⁷ and World Bank estimates, the objective to make available, by 2015, the access to clean water supply

³⁶ On 18/09/2000, adopting the Millennium Declaration (A/Res/55/2), the 189 states of the United Nations committed themselves to alleviate the world population from extreme poverty and multiple deprivations. By deciding to implement the Eight Millennium Development Goals, as criteria for the elimination of poverty (Art. 7 related to water from a human rights perspective), the debate regarding global development changed not only the terms but also the dynamics of the process. Source: <http://www.un.org/millenniumgoals/>.

³⁷ UNICEF and World Health Organization 2012 Report, *Progress on Drinking Water Supply and Sanitation, 2012 update*, submitted by the WHO/UNICEF Joint Monitoring Programme for Water Supply and Sanitation, p.2, available on the web-site: <http://www.unicef.org/media/files/JMPreport2012.pdf>. One may also want to consult the *Update to the World Bank's estimates of consumption poverty in the developing world*, delivered on 03/01/2012 by the World Bank's Development Research Team. Available on the web-site: http://siteresources.worldbank.org/INTPOVCALNET/Resources/Global_Poverty_Update_2012_02-29-12.pdf.

and sanitation for half of the world population deprived by this basic right, was partially reached. At the end of 2010, about 6.1 billion people, representing 89 per cent of the world's population used drinking water sources, thus exceeding the target of 88 per cent agreed internationally for 2015, five years early. The threshold of 75 per cent of people having access to improved sanitation in 2015 remains on track with an accomplishment of only 67 per cent of population in 2010 (around 2.5 billion people are still in need). Due to joint international and national efforts since 1990, access to reliable drinking water resources was improved for more than 2 billion people. This is a direct consequence of the real progress made in building world awareness, concern and respect for water as a basic human right.

The entire world saluted the United Nations General Assembly Resolution 64/292 of July 2010,³⁸ which formally recognised access to water and sanitation as a fundamental right. Included in the International Decade for Action “Water for life” 2005-2015, the Resolution expressed the willingness to give, by various means, content and effect to this right, providing clean, accessible, and affordable drinking water for all represented. In fact, the Committee on Economic, Social and Cultural Rights adopted one of the Decade's Milestones, namely integrating the General Comment No.15 on the right to water in November 2002. This was followed in 2010 by Resolution 15/9 of the Human Rights Council.³⁹ One year later, the UN Human Rights Council Resolution 18/1⁴⁰ was adopted, which imposed a new development to the promotion of the human right to water, by calling the UN Member States to assess existing policies and to develop comprehensive plans and strategies in consistency with the human rights standards and principles. In this context, another important initiative worth mentioning was Resolution 64/24 of the World Health Organization requesting the Member States “to ensure that national health strategies contribute to the realization of water and sanitation related Millennium

³⁸ *UN Resolution A/RES/64/292*, United Nations General Assembly adopted on 28 July 2010, based on a proposal initiated by Bolivia. There were 122 votes registered in favour and 41 abstentions, the majority of the abstaining countries arguing that the resolution opposed the work of the Human Rights Council and the ongoing “Geneva process”.

³⁹ *UN Resolution A/HCR/RES/15/9 on Human Rights and access to safe drinking water and sanitation* adopted on 30 September 2010 by the UN Human Rights Council. The Resolution took an important step further stating that “the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest sustainable standard of physical and mental health, as well as the right to life and human dignity”.

⁴⁰ *UN Resolution A/HCR/RES/18/1 on the human right to safe drinking water and sanitation*, adopted by the Human Rights Council on 12 October 2011 on the Eighteenth Session dedicated to the Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

Development Goals while coming in support to the progressive realization of the human right to water and sanitation”.⁴¹

3.1.2 The Council of Europe⁴²

Created after the Second World War, the Council of Europe⁴³ paid special attention to human rights causes, with emphasis on the involvement of the organisation in the promotion and protection of the rights of water.

The European Convention for the Protection of Human Rights and Fundamental Freedoms defined in 1950 the right to life (Art. 2). As unsafe water and the absence of sanitation are inherently disturbing human life, even if not explicitly expressed, the right to life is inclusive of the right to water, which is unquestionably vital for human survival. The European Charter confirmed in 1961 the right to health protection (Art. 11), also including the right to safe water, due to its implication on health.

The European Charter on Water Resources, a regional treaty adopted by the Committee of Ministers of the Council of Europe in 2001 confirms, in Art. 5, that everyone has the right to the necessary quantity of water for their basic needs.

On the same note, looking at more recent documents, a significant one would be the Recommendation 1885 from 2009, which relates to the right to a healthy environment, adopted during the drafting process of an additional Protocol to the European Convention on Human Rights, and the Resolution 1693 on water.⁴⁴

The 6th World Water Forum preparation process was also a subject of interest for the Council of Europe, and a new occasion to provide an important contribution. In 2011, more than 150

⁴¹ *WHA Resolution 62/24 on Drinking-water, Sanitation and Health* was unanimously adopted on 24 May 2011 by the 65th World Health Assembly (WHA), being the first time in the last 20 years a document dedicated specifically to drinking water and sanitation was agreed by the organisation. It highlighted the importance of safe drinking water, sanitation and hygiene as a basic health strategy and request for monitoring instruments.

⁴² NB: This must NOT be confused with the European Council of the European Union.

⁴³ *The Council of Europe* is an International Organization founded in 1949, enjoying the membership of 47 European states (the 28 EU Member States with Croatia included) and 6 observers (Canada, Holy See, Israel, Japan, Mexico, SUA). From the beginning the organisation promoted cooperation between all countries of Europe in the areas of legal standards, human rights, democratic development, rule of law and cultural cooperation. One of the best known bodies is the European Court of Human Rights which enforced the European Convention on Human Rights.

⁴⁴ Prepared as a contribution for the 5th World Water Forum, the Resolution 1693 was debated on the 2nd of October 2009, based on the *Report of the Committee on the Environment, Agriculture and Local and Regional Affairs – rapporteur Mr. Marquet*, the Resolution concentrated on “Water: a strategic challenge for the Mediterranean Basin”. Available on the web-site: <http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileId=17786&Language=EN>.

representatives from different European countries gathered at the Council of Europe, in a Parliamentary Preparatory Process, in order to offer all their member states and subscribers the framework and opportunity for a serious water debate. The recommendations of the Council of Europe were included in the Resolution 1809⁴⁵ on “Water: a source of conflict”.⁴⁶ The document, important for underlining the political dimension of the water solutions process, was focused on the promotion and respect of the right to water for all, the improvement of the management of trans-boundary waters, the challenges encountered, and the requirement to adapt to global changes. It also considered the importance of the creation of a “Water Legislation Helpdesk” for ease of sharing the information on the development of international legislation in the water sector.

3.1.3 The Convention on the Protection and use of Trans-boundary Watercourses and International Lakes (known as the Water Convention)

The Water Convention was signed in 1992 in Helsinki, by the member states of the United Nations Economic Commission for Europe (UNECE),⁴⁷ with 2012 marking its 20th Anniversary. The Treaty agreed on the prevention, control and decrease of trans-boundary impact on the environment, usage of trans-boundary waters in an equitable way, and the development of a sustainable management system in order to strengthen measures for protection and ecologically sound use of surface and groundwater.⁴⁸ The Treaty had provisions on cooperation instruments and tools, monitoring, researching, developing, consulting, mutual assistance, warning systems, and general access to information.

Later, in 1999, the Protocol on Water and Health was signed, the first international agreement specifically dedicated to safe water and adequate sanitation for everyone.⁴⁹ The Convention was

⁴⁵ Resolution 1809 adopted by the Parliamentarian Assembly on April 15, 2011 during the 18th Sitting, based on the Report of the Committee on the Environment, Agriculture and Local and Regional Affairs – rapporteur Mr Marquet and the debates of the sitting. Available on the web-site:

<http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=17989&Language=EN>.

⁴⁶ The Assembly concluded in Art.13 that water “has increasingly become a military and political tool and a new weapon for terrorists”. Consequently in Art. 12 the links between water and security were brought to the international community’s attention and the fact that “water shortages lead to acts of violence and conflicts which may threaten a state’s political and social stability”.

⁴⁷ UNECE is one of the five regional commissions under the administrative direction of UN, reporting directly to the UN Economic and Social Council (ECOSOC). It was established in 1947 to support economic cooperation among member states, and is enjoying the membership of 56 states not only all European countries, but also the Central Asian republics, Israel, USA and Canada, a structure which makes the body more international than a regional one.

⁴⁸ Many river basin agreements are based on the Convention, such as the Danube River Protection Convention, or the Convention on Sava, Meuse, and Rhine already with good results etc. The EU, by its River Basin Management Plans is enhancing the application of the Convention in European region.

⁴⁹ The commitments of the parties were related to better water management preventing water related diseases.

completed in 2003 by another Protocol on Civil Liability, regulating the responsibility in case of the effects of industrial accidents on trans-boundary waters. The Convention's areas of interest were the assessment of trans-boundary waters, pilot projects on capacity building for monitoring and assessment, water cooperation project, water and adaptation to climate change, ecosystems protection and industrial accidents.

The Treaty was subsequently amended in 2003 to offer the accession possibility for non-UNECE countries, and was expected to come into force at the beginning of 2013 at the latest, promoting trans-boundary cooperation at a global level.

UNECE, through the Secretariat of the Water Convention, is the strategic partner of the EU which supports the National Policy Dialogue on Integrated Water Resources Management (IWRM) – a component of the EU Water Initiative, within Eastern Europe, the Caucasus and Central Asia. The National Policy Dialogue is a unique process; it depends on the characteristic situation of each country supporting water sector reforms in order to develop and apply water strategies and legislation. This would be done to implement already adopted policies, to strengthen cooperation in all interrelated fields connected to the water sector (mainly health), as well as to develop cooperation in the management of trans-boundary waters.⁵⁰

For a better understanding of the use and the necessity of the European Water Convention, as well as role of the EU initiative in implementing IWRM, primary consideration should be given to one of the most important European rivers, the Danube. Second in length only to Russia's Volga River, the Danube originates in the German Black Forest and crosses Central Europe to flow finally into the Black Sea. Ten countries share the Greater Danube Basin: Germany, Austria, Slovakia, Czech Republic, Hungary, Croatia, Serbia, Moldova, Romania and Ukraine. Among a multitude of settlements, important for economic, trade, agriculture and social activities, are also significant political centres like Munich, Vienna, Belgrade, Zagreb and Budapest. The Danube provides drinking water for more than 20 million Europeans. As a natural consequence of building a civilisation around a river, the drawbacks have to be considered too, as natural disasters can disrupt travel along the river (floods in 2002, drought in 2011 and a widespread winter freeze in 2012). Also for consideration are the consequences of political circumstances, namely the Kosovo war that had caused a significant decline in regional trade along the river, which had not yet fully recovered for nearly a decade after the war. The EU

⁵⁰ More about the National Policy Dialogues on Integrated Water Resources Management available on the web-site: <http://www.unece.org/environmental-policy/treaties/water/areas-of-work-of-the-convention/european-union-water-initiative-and-national-policy-dialogues/envwatermpd.html>.

Strategy for the Danube River is a regional cooperation project, using the European Water Convention, developed in 2010. This Strategy finally represented the outcome of a public consultation in all riparian states, and was structured along four priority directions: connectivity, environmental protection, socio-economic development and consolidating the region. The accompanying Plan of Action was translated into projects and activities. Recently, the European Commission Report highlighted the progress made since the adoption of the Strategy in instituting a macro-regional cooperation approach between the states of the Danube basin, whether they are members of the EU or not. Using the created framework, the partner countries and regions could solve different issues in an integrated and more transparent way, using or coordinating various policies and funds at national or European levels, for the benefit of one and all.

3.2 The EU's achievements in the water sector related to the Millennium Development Goals process

The European Union was, from the very beginning, a strong supporter of the UN initiatives regarding sustainable development and, in the context of the environment protection and water issues, fully involved in achieving the Millennium Development Goals.

According to the official figures, by delivering constant political and financial support through the Water Initiative, the Water Facility and the National and Regional Indicative Programs (subject developed further), the EU became a large contributor in the global arena. The EU's "Agenda for Change" launched by the European Commission in 2011,⁵¹ refocused the EU's development policy, adapting the way of aid delivery to actual conditions and necessities.

Based on the EU's wealth of knowledge in supporting developing countries and populations in need, the Agenda for Change represents a new EU vision on reducing poverty, including a more targeted allocation of funding, as well as an innovative financial instrument, including the involvement of all international actors of the water sector. For better coordination and effective and efficient results, the Commission decided to implement the main principles developed in the Agenda for Change in all European projects and programs, current or forthcoming. From the beginning of the document the general presentation figures gave a complete and concise picture of the European Union as a whole (Member States plus Commission-managed funds) as one of

⁵¹ Development and Cooperation/Agenda for change. The whole document can be found on the EuropaAid official web-site, development policies section. Source: http://ec.europa.eu/europeaid/what/development-policies/agenda-for-change/agenda_for_change_en.htm.

the most generous donors of official development aid worldwide. According to EU statistics in 2010, 53.8 billion EUR were provided through different programs, representing more than 50 per cent of total global aid. The European Commission was responsible for the management of 11 billion EUR of aid per year, putting the EU in second place among global donors.

EU aid between 2004 and 2010 was consistent as hygiene and sanitation facilities were available to more than 9 million people and over 31 million people had improved access to drinking water or better water supplies.⁵² An additional effort for achieving MDGs in due course was internationally lobbied, so in September 2010 the EU decided to offer another 1 billion EUR for water and sanitation in developing countries. This initiative was revealed during the UN General Assembly, inviting other UN Member States to follow its example. By promoting an effective cooperation with local governments, civil society and other partners, and targeting the most vulnerable and needy people in over 62 developing countries, the EU agencies achieved during 2008-2013 the accumulation of the considerable amount of 2 billion EUR solely for water sanitation/hygiene and infrastructure systems aid programs.

As an active partner in various international projects and programs, the EU supported water and sanitation issues according to their needs. For example, in the Maritime sector, the EU allocated a total budget of 16.7 million EUR. For 2011–2016, the EU is involved with major financial participation in another four projects: the construction/rehabilitation of 467 water points, building 6,000 toilets and working to provide training in hygiene for about 6,000 families (with emphasis on children). From 2010 to 2015, the EU will work to deliver, through the Water Facility mechanism, a budget of 212 million Euro to support 105 additional projects in 35 countries, targeting drinking water supplies for 7.7 million people, sanitary installations for 2.8 million people and delivering hygiene programs for about 5 million people.⁵³

⁵² The EU and the Millennium Development Goals/ Key results by goal/ Goal 7: ensuring environmental sustainability/increasing the number of people with access to drinking water. Source: http://ec.europa.eu/europeaid/what/millennium-development-goals/index_en.htm.

⁵³ Fact sheet on Millennium Development Goals, European Union action for access to water and sanitation. Available on the web-site:

http://ec.europa.eu/europeaid/what/environment/water-energy/documents/mdg_watsan_factsheet_20120817_en.pdf. For more information can be used also the general web-site: <http://ec.europa.eu/europeaid/>.

3.3 Revisiting the main EU international initiatives, mechanisms and instruments

3.3.1 The Water Project Toolkit

In 1989, the European Commission issued the first edition of The Water Project Toolkit,⁵⁴ a comprehensive framework for the water sector. With the major contribution of a team of experts, the Toolkit was considered, and still remains, an essential instrument of information, a complex guide based on international documents and regulations. It clarified the concepts relevant to the water sector and developed strategic approaches to the challenges, including sustainable development policies proposals to be translated into practical actions. The project covered a wide range of topics, from socio-economic and public governance, to institutional management, the environment, capacity building, and was used to relate/coordinate different domains like technology and technological progress, finance or communication/education fields. The Toolkit originally intended to provide operational guidance in developing improved and effective projects in the water interrelated domains. The second edition,⁵⁵ reviewed by members of the European Union Water Initiative, was more geared towards the evolution of international policies and cooperation, concentrating on fair, efficient, and sustainable water resources management and the priority themes for crosscutting actions. It is a very comprehensive and unambiguous book, dedicated not only to a wide range of specialists but also to an interested general readership.

3.3.2 The European Union Water Initiative (EUWI)

In the broader context of reducing poverty, the European Union was looking at strengthening the global political commitment towards actions related to water, hygiene and sanitation needs. Therefore in 2002 a special political process known as the European Union Water Initiative: Water for life (EUWI) was launched.⁵⁶ This comprehensive mechanism was placing water at the core of international development policies under a relevant logo: “Focusing on water to protect our environment and improve lives and livelihoods”.

The Initiative was intended to be used as the EU contribution to the Millennium Development Goals for safe water and sanitation and was based on the concern that, without effective action,

⁵⁴ *The Water Project Toolkit* – The online version is available on the web-site: <http://www.aquaknow.net/en/book/export/html/13638>.

⁵⁵ The Water Project Toolkit in the 2nd edition of the European Commission Guidelines “Towards sustainable water resources management”, 1998.

⁵⁶ *European Union Water Initiative: Water for life (EUWI)* launched on the occasion of the World Summit on Sustainable Development, Johannesburg, September 2002. Source: <http://www.euwi.net/>.

the existing global water crisis would spill out of control. That would mean it would become a cross-sector challenge and threaten not only sustainable development extended to global stability and security, but life itself.

The Initiative is generally seen as a reliable accomplishment, because it initiated a regionally-oriented international mechanism based on the creation of integrated water resources management. Its purpose was to create balance in the environment – as a key element for human life and health on one side, and global water necessities on the other. In this context, the European Union's priorities in the field of safe water, hygiene and sanitation were established as per relevant European Development Policy (i.e. to reduce poverty and improve public health). This also represented an important financial contribution for targeted projects, as the funds were used to establish reliable institutional infrastructure and mechanisms for the management of trans-boundary rivers, lakes and groundwater and fair distribution between different water users.

In 2012, the EUWI 10th anniversary was celebrated. During its existence, the Initiative worked as an active and complex organisation, with the multi-stakeholder Forum (having an advisory function), the EUWI Steering Group (with a coordination function) and working groups – in charge of implementing strategies/policies at regional level. Coordinated by the European Commission and with the direct involvement of the Member States, the projects and programs were developed under the expertise of the EU Environmental Directorate General or the EU Development Directorate General. They also enjoyed the full support of the EU External Relations Directorate General, the EU Research Directorate General, and Europe Aid. A large number of task forces were involved in developing these programs with specialists and experts, which targeted undeveloped and vulnerable areas and populations worldwide.

Encouraging all level actors (civil society, private sectors, governments, international institutions and organisations, as well as any other interested stakeholders) to engage in the projects, the Initiative made an important contribution in raising public awareness on water issues and solutions research. The EUWI's cooperation process enhanced institutional capacity; the result of involving political commitment at all levels (regional, national and local) resulted in better arrangements for water governance at States level. The establishment of stakeholder procedures also improved the coordination between the involved partners, with positive consequences for the entire sustainable development framework. As well as this, the EU offered to share European experience and expertise in water administration and sanitation services, the long tradition in jointly managing basins and trans-boundary rivers, and the integrated framework for the projects

and programs. Consequently, by providing the necessary conditions to achieve the MDG, the EU Water Initiative became a historically appreciated international mechanism.

3.3.3 Strategic Partnerships in the framework of the EUWI

For the implementation of the Initiative strategies, the regional instruments created in the framework of the EUWI were Strategic Partnerships. For effectiveness, these Strategic Partnerships were launched on the same occasion of the World Summit for Sustainable Development (2002) as EUWI itself. The EU concluded in Johannesburg with the EU-African Strategic Partnership,⁵⁷ the EU-Eastern Europe, Caucasus and Central Asia (EECCA) Strategic Partnership,⁵⁸ followed by partnerships with the Mediterranean countries⁵⁹ and the Latin American ones,⁶⁰ continuing later cooperation with the Middle East region.

All the Partnerships have roughly the same general pattern, adapted to the regions' characteristics and needs, and mainly targeting the creation of a joint platform for improved coordination and communication on water development assistance. They also increase transparency and ensure more effective ODA, water supply and sanitation, integrated water resources management, water-food-environment interaction, non-conventional water resources, prevention and mitigation of extreme situations and increase the transfer of knowledge and develop financially sustainable strategies. As one might expect, the frameworks of the Partnerships were reinforced with suitable measures followed by the development of specific programs and activities. Initiated and coordinated by the European Commission, the financial side was covered by an innovative strategy (EU Water Initiative 2005: 8, 10) in order to attract additional funds and to manage better the contributions of donors and development assistance.

⁵⁷ The EU-African Strategic Partnership was signed in 2002, during the World Summit for Sustainable Development, and two working groups were organised to implement the Strategic Partnership on Water Affairs and Sanitation and on Integrated Water Resource Management, which merged in 2006 into the Africa Working Group. The EU leader for water supply and sanitation was The Netherlands and the African partner was Lesotho, as being the representative for the African Ministerial Council on Water. For water resources management the EU leader was France and the African partner was Burkina Faso, as the representative of the African Ministerial Council on Water.

⁵⁸ The EU- EECCA Strategic Partnership on Water for Sustainable Development was launched at the same occasion as the World Summit for Sustainable Development, at Johannesburg in 2002, the two working groups being led by Denmark (for EU) and Russia (on behalf of EECCA).

⁵⁹ The EU designated representative was Greece, the partnership looking forward to develop projects on water supply and sanitation, integrated water resources management, enhancing the interaction between water-food-environment issues and increase non-conventional water resources.

⁶⁰ The EU leaders were Spain and Portugal and the partner country: Mexico. Specific for this partnership were the projects related to water supply and sanitation, integrated water resources including trans-boundary river basin management, agriculture and management of the situations resulting from extreme events.

The EU Research Framework Program, an instrument already in place for EU research needs, was expanded offering indispensable scientific and technical support for the EUWI programs. A monitoring/reporting system to assess the progress of the objectives implementation of the EUWI, and to evaluate its contribution to the MDGs targets, was also established.

To encourage regional and sub-regional cooperation on water management, the Integrated Water Resources Management (IWRM)⁶¹ became a direct and active part of the European Union Water Initiative, and an important component of all Strategic Partnerships. Overall, the IWRM included the development of dedicated funding mechanisms, through major assessments of financial requirements, as well as specific steps in developing the programs.⁶²

The activity of the EU-Africa Strategic Partnership is currently coordinated by the Africa Working Group (AWG) formed by the representatives of the Technical Advisory Committee of the African Ministerial Council on Water (AMCOW-TAC), the EU Member States (EUMS), the European Commission (EC) civil society, financing institutions and the private sector. Since 2002, the purpose of this Partnership was the contribution to the achievement of water supply, sanitation and water resources management mainly in sub-Saharan Africa. The current efforts are directed at developing two policy processes: the Sustainable Development Goals for the post 2015 agenda, and the review of the Joint Africa-EU Strategy (JAES) in 2014, at the next EU-Africa Summit.

The Eastern European, Caucasus and Central Asia Working Group is the EUWI component targeting the countries in the region, consisting of representatives from all said countries, NGOs, private sector and international organisations who promote cooperation, evaluate and approve the annual work program, and monitor progress. The main operational instrument is the National Policy Dialogue (NPD), which initiates country-specific activities to improve the coverage and quality of services in the water sector.

The Mediterranean regions, coordinated by MED EUWI, comprise the South-Eastern Europe partner countries of: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Former Yugoslavian

⁶¹ According to the Global Water Partnership web-site, the *Integrated Water Resources Management (IWRM)* is a process which promotes the coordinated development and management of water, land and related resources in order to maximise economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems and the environment. Available on the web-site:<http://www.gwp.org/The-Challenge/What-is-IWRM/>.

⁶² The understanding and the involvement of all related sectors in water management encounter the normal inertia process, even if the principles of the IWRM are widely recognised. A useful book on real examples, looking at the contribution of IWRM at different scales and levels on five continents, developing and developed countries included, analysing also the fundamentals of success or failure would be that edited by Lenton R. and Muller M. (2009), *Integrated World Water Resources Management in Practice: Better Water Management for Development*, Earthscan, London.

Republic of Macedonia (FYROM), Romania, Serbia and Montenegro and from the Middle-Eastern side: Algeria, Egypt, Jordan, Israel, Lebanon, Libya, Palestinian Authority, Syria, Tunisia and Turkey. The focus of this working group is that MED EUWI is open to all partners willing to commit to the objectives, guiding principles and targets to find practical solutions, encouraging also international organisations such as OECD and UN Agencies, as well as non-EU donors, to join the Initiative.

3.3.4 African, Caribbean and Pacific states – EU cooperation (ACP-UE)

Another stage of the EU's international efforts was directed towards enhancing cooperation with the African, Caribbean and Pacific states, known as ACP-UE cooperation. The latest and most important agreement between the EU and the African, Caribbean and Pacific Group of States, is the Cotonou Agreement signed in 2000 by the 15 EU Member States at that time (and adopted by the others after EU enlargements), and 78 ACP states. In parallel with the introduction of a political dimension in development cooperation, the Agreement conditionally linked development cooperation in respect of human rights, democracy and rule of law, acknowledging also the civil society and the private sector as indispensable elements.

The European Union Water Initiative added a new dimension to ACP-EU relations, centered on the integrated resources of water management, and appeared under the name of ACP-EU Water Facility.⁶³ By creating poverty reduction strategies and increasing supportive resources and prioritising water and sanitation in its global development policies, the EU respected its commitments relating to the most underprivileged populations of the world requesting the targeted countries to respond accordingly. Thus, the ACP-EU Water Facility represents a mechanism permitting the EU to co-finance water, sanitation and water governance projects in ACP countries, and acts as a catalyst to attract other sources of financing and cooperation.

In 2008, the ACP-EUWF commissioned a study regarding the examination of potential ACP-EUWF for encouraging increased and innovative financing in water and sanitation. This study recommended the expansion of access to adequate clean water and sanitation by mobilising private financing from households and the communities themselves, or other local and international sources, supported by the European Investment Bank and the Development Finance Institutions of the Member States. In 2011, the EUWI Finance working group issued guidelines

⁶³ *ACP-EU Water Facility*, available on the web-site:
http://ec.europa.eu/europeaid/where/acp/regionalcooperation/water/index_en.htm.

on Financing for Water and Sanitation dedicated to practitioners and students in developing countries.

The ACP-EU Water Facility became functional in 2004. The ACP-EU Joint Parliamentary Assembly is the common working and decision-making body, making a real contribution to the international efforts to alleviate the burden of poverty in the ACP countries. Moreover, it helps to clarify directions and to identify solutions in order to promote the fundamental rights of disadvantaged populations.

Ever since its creation, the EU developed and coordinated more than 272 projects in different countries, and substantial amounts of money were provided as financial support. Subsequently, the results were noticeable as water governance and the management of resources were upgraded, the development of national water and sanitation policies/strategies was stimulated and access to drinking water and better hygiene practices was facilitated for millions of people. A direct consequence registered health improvement, reduction of child mortality and a better life for the poorest segments of the world's population.⁶⁴

A positive step forward was made by the decision of the ACP–EU Joint Parliamentary Assembly in Barbados⁶⁵ to promote a Resolution on water in developing countries, and a priority place in the international debate was conferred on this issue. In turn, the European Union continued to enhance its efforts based on internal working documents, such as the EU Council Resolution on Water management in developing countries, “Policies and priorities for EU development cooperation” (EU Council Resolution 2010). On a similar note, one must mention the conclusions of the European Council meeting from 21 June 2011 in Luxembourg related to the protection of water resources and integrated sustainable water management in the European Union and beyond. The beginning of the document underlines that, based on recent studies, by 2030 the world will be confronted with a 40 per cent global water supply shortage and a more sustained effort will be necessary by all decision-makers, users and stakeholders at all levels.

The ACP–EU Joint Parliamentary Assembly in Budapest held from 16-18 May 2011 adopted a significant Resolution on water pollution.⁶⁶ This document endorsed water as a human

⁶⁴ As an example of the EU commitment, for the 2011 projects, the 10th European Development Fund (EDF) allocated to the Water Facility the amount of 200 million Euro, and Spain (as an individual Member State) added a contribution of another 12 million Euro.

⁶⁵ ACP-UE Joint Parliamentary Assembly was held in Bridgetown, Barbados, from 20 to 23 November 2006, ACP-EU 3916/06/fin.

⁶⁶ *Report on Water Pollution*, ACP-EU Joint Parliamentary Assembly, ACP-EU/100.915/11/A/fin. In 2010 the Bureau of ACP-EU Joint Parliamentary Assembly authorised the Committee on Social Affairs and Environment to

development indicator, dubbing it an essential resource for the population's life, and with an important role for economic development. It promotes access to water as a fundamental human right that must be protected and guaranteed. Clarifying the importance of the problem, water pollution was considered by the assembly as a cross-cutting issue that should be tackled with a multidisciplinary and multilateral approach combining economic viability, social solidarity, employment protection, ecological responsibility, the precautionary principle and rational use. Proper waste disposal was also one of the subjects at hand, the Resolution making recommendations on waste water and pollution sphere, insisting on different solutions, calling for effective measures to prevent industrial and agricultural pollution (combating the pollution of surface waters and also the water table by toxic chemicals, fertilisers, pesticides, or heavy metals). Taking into consideration climate change and demographic consequences, the document became one of the most relevant at global level.

3.4 The EU at the 6th World Water Forum (WWF)

France, a founding member of the EU, hosted the 6th World Water Forum during 2012 – the European Year of Water, an important event from the EU's perspective. World Water Forums are the world's largest meetings about water, organised since 1997 every three years,⁶⁷ as a joint venture between the World Water Council (WWC)⁶⁸ and the government of the host country (France in 2012). These Forums represent important international mechanisms, as they gather all interested participants from around the world who are involved in the water cause.

Water Forums are specific and unique, developing mechanisms during a continuous three-year process. Thus enough time exists in between the main gatherings to enhance the awareness and understanding of the interrelated water issues and to lobby for the Forum's objectives.

prepare a Report followed by a draft motion for a Resolution, tabled for adoption on May 14, 2011. Available on : http://www.europarl.europa.eu/intcoop/acp/60_21/pdf/ap100.915_en_fin.pdf.

⁶⁷ The 7th World Water Forum will be organised in 2015 in Daegu, Gyeongbuk in the Republic of Korea. The 5th World Water Forum 2009 in Istanbul (information on <http://www.worldwaterforum5.org/>).

The 4th World Water Forum 2006 in Mexico (information on <http://www.worldwaterforum4.org.mx/home/home.asp>).

The 3rd World Water Forum 2003 in Japan (information on <http://www.un-ngls.org/orf/pdf/RU101wwf.pdf>). The 2nd World Water Forum 2000 in Hague (information on <http://www.worldwatercouncil.org/index.php?id=16>). The 1st World Water Forum was held in Marrakesh.

⁶⁸ World Water Council (WWC) is a think tank established in 1996 in response to the increasing global social concern for securing water. Having special consultative status granted by UNESCO and ECOSOC, it is promoting awareness for related topics and acts for political commitment and high decision level to facilitate the efficient management and equitable use of water on an environmentally sustainable basis. By encouraging multi-stakeholder, multi-disciplinary and cross-sector exchange and dialogue the organisation is offering a debate platform to deal with the consequences of the global water crisis. More information about the programs, publications and reports or Forums activities are available on: <http://www.worldwatercouncil.org/>.

Furthermore, this system helps to find solutions to deal with large-scale challenges, which become more difficult over time. Engaging with a wide range of topics related to the local, regional or global necessities of the water sector, the Forum is open to all interested actors. The Forum event (the main gathering) consists also of various activities. The agenda has a thematic-gathering forum, a political section with a ministerial conference, regional and civil society approaches, as well as other events organised as spin-off of the conference.

In historical terms, the decision to mandate the World Water Council to prepare a long-term “Vision for Water, Life and the Environment in the 21st Century”, was taken in 1997 by the 250 participants at the 1st World Water Forum. Due to its significance, the event steadily grew in importance, enjoying the attendance of more people each time; this resulted in the 2012 6th WWF session benefiting by the involvement of more than 35,000 applicants.⁶⁹

Calling on the participants to move from the solutions stage in favour of real commitments, the 6th Water Forum was innovative in strengthening the political process with significant contributions at all levels of authority. An important outcome that must be mentioned is the proposal of a “Platform of Solution” beyond 2012, as an initial base for further contributions, and as a roadmap to achieve concrete commitments.⁷⁰ To offer a proper framework for civil society’s activities, a new commission under the name of “Grassroots and Citizenships” was created.

The 6th Forum was significant for assessing the progress and debating future directions of global policy. Apropos the UN Conference on Sustainable Development (also known as Rio+20 Earth Summit 2012), one of the main goals of the 6th World Water Forum was to mobilise all delegations to put water challenges high on the global political agenda. It was an appropriate forum for furthering the debate on widened support for the promotion and implementation of the fundamental right to water and sanitation.⁷¹ Unfortunately, the results were not at the level expected – yet another reason to continue pressure on the political agendas.

⁶⁹ The 6th World Water Forum, opened in Marseille on 15 March 2012, enjoyed the participation of more than 35,000 participants and the presence of 15 heads of State and governments, European commissioners, 112 officials at ministerial level, 176 national delegations taking part in the Ministerial Declaration, more than 3,500 representatives of the civil society and NGOs, parliamentarians, youths, children and over 400 session including thematic, political, regional and grassroots debates. Details available on the web-site: <http://www.worldwaterforum6.org/en/>.

⁷⁰ *The Platform of Solution beyond 2012*, available on the web-site: <http://www.worldwaterforum6.org/en/the-forum/about/>.

⁷¹ Catarina de Albuquerque, the UN Special Rapporteur on the human right to water and sanitation addressed an open letter to the States negotiating the Outcome Document of the Rio+20 calling for unambiguous language for referring to water issues as a fundamental human right, as long as “The decisions that States will now take at Rio+20 will impact national policy-making, national and local budget allocations and the prioritisation of funds by donors”.

The 6th World Water Forum was well prepared and acknowledged as a real success.⁷² Organised under the “Time for Solutions” title, the Forum received a remarkable number of contributions worldwide (more than 1400), reviewing the topics of the water sector and suggesting new directions of action.

The thematic process focused on priorities and target of the regions, in separate sessions for Africa, Americas, Asia-Pacific, Europe and two cross-continental regions. For the regional debates, twelve general themes were identified as priorities to be discussed in each session: the right to water and the guarantee of access to water for all; improved access to integrated sanitation services for all; contribution to hygiene; prevention and response to water related risks and crises as a contribution to the Cooperation and Peace mechanisms; the promotion of the Integrated Water Resource Management; the improvement of water and ecosystems quality; the adjustment of pressures and footprints of human activities on water and the response to climate changes in an urbanising world.⁷³

As broad conditions for successful implementation of the general priorities, three main directions were acknowledged: good governance, a necessary system to finance water for all, and environmental protection. Given the 6th WWF key messages and the Forum outcomes, the International Forum Committee entrusted the Organization for Economic Development and Cooperation (OECD) – the EU strategic partner for water and sanitation – with the special mandate to continue the coordination of the “Good Governance” condition of success.⁷⁴

As previously mentioned, Europe is the continent with the largest number of trans-boundary rivers, lakes and old mines polluting the environment, a high population density and different development stages. Consequently, European countries are enjoying different levels of water requirements. Due to the early confrontation with the general problems related to water, European countries (the EU Member States included) accumulated the necessary experience and expertise to deal with water issues, being obliged not only to be creative in implementing various

Intervention available on: <http://www.righttowater.info/commitments-to-water-and-sanitation-must-come-with-real-commitments-to-human-rights/>.

⁷² According to official information, to highlight the water issues a large number of relevant activities were organised before the 6th Forum main event. The most important to be mentioned would be: the high level sessions (an important one being held in Europe), one ministerial conference, twelve ministerial roundtables, 6 debates between national, local and regional authorities, regional authorities conferences, ten high level panels, one parliamentary conference, six regional and transcontinental processes, one commitment’s session. Source: <http://www.worldwaterforum6.org/en/the-forum/about/>.

⁷³ More information on each of the priorities are available on the web-site:

<http://www.worldwaterforum6.org/en/commissions/thematic/priorities-for-action-and-conditions-for-success/>.

⁷⁴ In order to foster good governance in water sector solutions for the 6th World Water Forum preparation, coordinated by the OECD, six task forces were involved totalling more than 300 contributors and experts worldwide.

tools, techniques and practices for a better water management, but also to find a way of working together. This is the reason why at the 6th WWF, the European Regional process addressed all states (not only the EU ones), international organisations, civil society and other stakeholders involved. All decision makers at all action levels were called to contribute real solutions, concentrating on the right commitment and political decisions on the common targets and raising the awareness on the new global challenges in the water sector.

I will now take a swift look at the Forum's history highlights its contribution to the progress made in the water sector – the European region included. At the 4th WWF (2006), recommendations were released on water scarcity and droughts, and related instruments discussed to address it. The 5th WWF (2009) added topics on financial mechanisms, water efficiency and river management, underlining the acute necessity to guarantee access to water and sanitation for all. At the 6th WWF, because of the strong involvement and interest of influential European participants, the European process played an important part in the proceedings.

The progress of the European process during the 6th WWF was accomplished during seven different preparatory meetings and other debates on European water topics, organised between the 5th and the 6th WWF (2010 – 2012). Based on the conclusions of previous Forums, the European Process Steering Committee and its partner organisations,⁷⁵ reached an agreement to prioritise in 2012 twelve “Specific Europe Region Priority Target” (SERPT), and to prepare a document for further discussion during the 6th WWF. With this occasion, a new dimension, a ‘trialogue’ under the title “European action for universal access to water and sanitation” was also included. The targets and priorities, with achievable, analytic deadlines, were concentrated in twelve directions to be adopted by the participants after being debated as follows:⁷⁶ the enhancement of good practices for trans-boundary water cooperation in Europe (deadline 2015); the achievement of the ecological status of European water bodies (until 2027); the adaptation of long term water strategies to Climate Change challenges (until 2020); to improve a water friendly agriculture (until 2030); to create a multi-usage Inland Water Ways Network (until 2020); a better coordination of water and renewable energy policies (until 2020); access to safe water and sanitation for currently underprivileged populations in Europe (until 2020); continuously promoting sustainable financing; restoration and protection measures of the

⁷⁵ Details about the regional coordinator and key partners can be studied on the web-site of the International Office for Water (IOWater) – Capacity building for better water management, source: <http://www.oieau.org/>.

⁷⁶ More details available on the web-site: <http://www.worldwaterforum6.org/en/the-forum/about/>.

European water ecosystems (deadline 2015); the development of a European leadership in water management science policy interface (until 2020); the improvement of the institutional system dedicated to the European water management (until 2020); to follow up the enhancement of cooperation with Third Countries in the water field (by 2015 and beyond) and renewing the platform for coordination and dialogue represented by the EU Water Initiative.

The European opening event at the 6th Forum was held under the auspices of the “2012 European Year of Water” with two main components: the first dedicated to water management and adaptation to climate change in Europe, and the second to European cooperation with Third Countries. Each one of the twelve European Priority Targets was subject to a formal session during the Forum. This was a Forum edition that benefited from important support and interest from the EU,⁷⁷ and which actively joined the Russian Federation, the Caucasian countries or the other emblematic regional Europe organisations (as the Council of Europe representatives).⁷⁸

On the occasion of the opening session on the European Framework Directive on Water, the European Commissioner Potocnik used the opportunity to launch a public consultation process on a European “Blueprint for Safeguarding Europe's Water”, representing a major review of EU policies in the water sector, as previously mentioned.

4. Conclusion

During the past few decades, the commitments to water-related sustainable development based on the recognition of the global challenges and the necessity to cope with and to solve them, were particularly strongly reinforced in Europe. European legislation and policies were continually assessed against the integrative vision of the EU, a continuous evaluation of the successes and failures taking place. They were consistently adapted to the requests or necessities of citizens as well as to economic sustainable development and the protection of the environment. Specific regional problems were identified, and strategies created, unfolding mechanisms to correct the issues, not only regionally but also projecting them on the global

⁷⁷ In different sessions four EU Commissioners were present, together with all ministers in charge of water in the EU Member States and Candidate States, many European Parliamentarians and other EU officials, including the President of the European Economic and Social Committee.

⁷⁸ Welcome page of the 6th World Water Forum, News section – Press Release on the Success of the European Regional Process, *Strong involvement of European Commissioners and Ministers* published on the 13th of April 2012. Source: [http://www.worldwaterforum6.org/en/news/single/article/success-of-the-european-regional-process/?tx_ttnews\[backPid\]=3&cHash=a37b2f1accfb2b5d031ec10a27443f16](http://www.worldwaterforum6.org/en/news/single/article/success-of-the-european-regional-process/?tx_ttnews[backPid]=3&cHash=a37b2f1accfb2b5d031ec10a27443f16).

environment. Far from perfect, cooperation within EU Member States was enhanced, obtaining a respectable degree of horizontal and vertical integration inside the EU. The EU's relations with other European countries and Third States were developed, reducing the gaps, and promoting human rights related to water sources, sanitation and preservation of the environment. These were all genuine initiatives with positive results, encouraging the achievement of the Development Goals of our Millennium. The UN Year of Water (2013) would thus be a continuation of the 2012 EU accomplishments.

As mentioned in the earlier stages of this paper, this is an informative work, intended as a source of inspiration for further development of the subject. This paper also hopes to offer to interested scholars the possibility of a better understanding of the EU way of working through this complex example: the EU vision on the best ways to protect and promote the fundamental human right to water. Regarding the water field itself, without being exhaustive, this paper opens the way for argument on the deserved position of the European Union in the international water debate, in terms of its own experiences, strategies, policies and financial contributions.

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