

## **Commission Staff Working Document on *Agriculture and Sustainable Water Management in the EU*: an EEB & PAN Europe reaction.**

The Commission has produced a [Staff Working Document on Water and Agriculture \(SWD\(2017\)153 final\)](#) which it will present in the informal meeting of Agriculture Ministers in Malta on the 23<sup>rd</sup> of May. The working document is the outcome of a collaboration between the environment department and the agriculture department of the Commission on the matter. Some key extracts of the document include:

*Extracts from the Staff Working Document SWD (2017) 153 final:*

“Ministers reaffirmed their commitment to policies which boost agricultural productivity while ensuring that water and water-related ecosystems are protected, managed and used sustainably.

“First, the EU Water Framework Directive (WFD)<sup>1</sup>, adopted by the European Parliament and Member States in 2000, set 2015 as the deadline to achieve good water status. Second, the Nitrates Directive has also had a measurable effect on the reduction of pollution from agricultural nitrogen.<sup>2</sup>

“Third, the Sustainable Use of Pesticides Directive<sup>3</sup> is an important instrument to help achieve good water status. It reduced the risks and impacts of pesticides on human health; on the environment; and for promoting Integrated Pest Management.

“With these policy instruments in place, some progress has been made in improving water chemical and ecological status.

“Diffuse pollution significantly affects 90% of river basin districts and the agricultural sector is the primary source. In the river basins where over-abstraction is an issue, the analysis of the first Programme of Measures showed that measures to restore the long-term sustainability of abstraction were inadequate.

“These include an assessment of how Member States have complied with the ex-ante conditionality<sup>4</sup> for European Structural and Investment Funds (ESIF) on having in place water pricing systems (Article 9 of the WFD), relevant where investments in irrigation were programmed in the 2014-2020 Rural Development Programmes; an evaluation of the overall impact of the CAP on water (to take place in 2018); and an evaluation of the second RBMPs (to be completed early 2018) which will assess implementation gaps and progress in overcoming them. Additional valuable contributions in this respect are expected in the context of the Innovation Deals (ID) mechanism.<sup>5</sup>”

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<sup>1</sup> Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy. OJ L327, 22.12.2000

<sup>2</sup> Report from the Commission to the Council and the European Parliament on the Implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates. COM(2013)683

<sup>3</sup> Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides. OJ L 309, 24.11.2009

<sup>4</sup> Article 19 and Annex 11 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund

<sup>5</sup> <https://ec.europa.eu/research/innovation-deals/index.cfm?pg=home>

*Conclusions of the Staff Working Document SWD (2017) 153 final:*

“Current EU agricultural and water legislation provides a wide variety of policy tools which could substantially help to achieve good water status. Moreover, several other Commission initiatives such as the Investment Plan for Europe, the Circular Economy Action Plan and climate policies also provide a valuable contribution to this goal.

“For a meaningful and immediate response to the challenges for agriculture and water sustainability, the abovementioned opportunities for improved implementation, better governance, targeted investments, and a reinforced knowledge base should be used to the fullest. The Commission's leadership in achieving the sustainable development goals will be reflected in all these areas.

“In this context, a wider reflection and discussion exercise with the different stakeholders to identify possible ways forward will be important.”

### **Reactions from the EEB & PAN Europe**

We welcome the initiative but while the document clearly highlights the fact that we are far from having good water status in Europe and this notably because of agriculture practices it falls short on proposing concrete steps forward for the CAP.

It highlights the fact that agriculture and water play a substantial role in the 2030 Agenda for Sustainable Development. This is clearly reflected in the Sustainable Development Goals (SDGs). Sustainable water management (SDG6) and sustainable agriculture (SDG2) are both primary goals, and neither one can be achieved independently of the other.

It focuses on improved implementation, better governance, targeted investments, and a reinforced knowledge base but does not for instance address fundamental inconsistencies within the CAP where we have annual direct payments handed over to farmers that are not necessarily complying with the WFD and funds in the second pillar that are targeted at water by means of investments in irrigation. It is time to have a more holistic approach and help farmers develop efficient farming system with crops that are drought resistant in water stressed areas.

The document refers to the EU Water Framework Directive (WFD)<sup>6</sup>, adopted by the European Parliament and Member States in 2000 and 2015 as the deadline to achieve good water status- therefore there is no reason it should not be included in cross compliance.

#### **Faustine Bas-Defossez (EEB) reacted:**

*“We welcome the initiative but while the Commission recognises that agriculture is one of the main causes of pressures on water bodies, impacting on the health of vital water ecosystems but clearly fails to come up with clear initiatives in relation to the CAP, a policy that still costs around 58 of billion of EUR annually and remains one of the main drivers behind practices that damage our water bodies.”*

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<sup>6</sup> Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy. OJ L327, 22.12.2000

**She added:**

*“The most straightforward first step would be to include the water framework directive in cross compliance and therefore stop handing over billions to practices that might not be in compliance with a fundamental piece of EU legislation on water which not only is unacceptable from a taxpayers point of view but also very inefficient; the second would be to draw lessons from this ad hoc initiative between the environmental and the agriculture services of the Commission and make such an approach central to the future of the CAP. They could do this by ensuring the environmental services of the Commission, of the Member States, of the European Parliament and of the Regional and local authorities are truly involved in the decision making around the future CAP from the very beginning.”*

The Document also mentions that the Sustainable Use of Pesticides Directive<sup>7</sup> is an important instrument to help achieve good water status. It reduced the risks and impacts of pesticides on human health; on the environment; and for promoting Integrated Pest Management.

**Henriette Christensen (PAN Europe) reacts:** *“It was already decided in the 2013 CAP reform to include both the Water Framework Directive and the Sustainable Use Directive (SUD) into the cross compliance rules, and that it the European Commission was supposed to ensure this happened. It leaves us to wonder ‘What they are waiting for?’”*

Henriette adds: *“It a pity that the report gives so much attention to uptake of new technology to apply chemical inputs rather than calling for the changing the farming system towards applying good agronomic practices, using alternatives and only using pesticides as a last resource as the smartest way forward for European agriculture and in full harmony with the SUD.”*

The Document stresses that diffuse pollution significantly affects 90% of river basin districts and the agricultural sector is the primary source. In the river basins where over-abstraction is an issue, the analysis of the first Programme of Measures showed that measures to restore the long-term sustainability of abstraction were inadequate. It also refers to an evaluation of the second RBMPs (to be completed early 2018) which will assess implementation gaps and progress in overcoming them. Additional valuable contributions in this respect are expected in the context of the Innovation Deals (ID) mechanism.<sup>8</sup>

**Leonardo Mazza reacted:** *“The assessment of the 2<sup>nd</sup> round of River Basin Management Plans (RBMPs), covering the 2016-2021 period, will hopefully offer further insights as to why water overabstraction and pollution problems from agricultural activities continue to be ever-present. The persistence of such problems suggests that relevant authorities have either failed to put effective measures in place or that these have been insufficiently promoted and supported by agricultural authorities. Unfortunately the upcoming assessment is more likely to help identify, once more, shortcomings and culprits, than best practice examples”.*

**He added:** *“A narrow focus on win-win opportunities and low hanging fruits alone won’t bring about the significant reduction of pressures from agriculture on water bodies that is needed to meet our water legislation objectives. The next step will have to move beyond the straightjacket of the current CAP policy framework, looking into how to further reduce various pressures resulting from intensive*

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<sup>7</sup> Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides. OJ L 309, 24.11.2009

<sup>8</sup> <https://ec.europa.eu/research/innovation-deals/index.cfm?pg=home>

*agriculture, even if this means moving towards less intensive production and helping farmers transition towards more sustainable practices”.*

ENDS

**Further background information:**

While the Commission has published this paper, focusing on the need to better implement national level existing legislation like the WFD and the nitrates directive, we witness some Parliamentarians and Member States pushing for reopening existing legislation like the nitrates directives in order to allow for more manure spraying and some others opposing to a ban of pesticides on areas meant to protect biodiversity on farms. These pushes are driven by a willingness to allow for a further intensification of the farming sector in Europe and livestock in particular along with all the threats it contains for our water bodies, our soil, our climate and our health but also farmers in general. This is a clear showcase for a need of a radical change in the future agriculture policy decision making process. We can no longer afford having decision makers who are full of vested interests and prefer protect and enhance harmful practices to the detriment of our environment and citizens' health and therefore need to have a more inclusive process from the start with the participation of the environmental services of the Commission, of the Member States, of the European Parliament and of the Regional and local authorities are truly involved in the decision making around the future CAP, and this from the very beginning.

**Relevant publications/sources:**

OECD (2016) Water use in agriculture, URL: <http://www.oecd.org/agriculture/water-use-in-agriculture.htm>

EEA (2014) Nitrate in the groundwater: Agriculture is the largest contributor of nitrogen pollution in groundwater, URL: <https://www.eea.europa.eu/themes/water/status-and-monitoring/state-of-groundwater/water-quality-and-pollution-by-nutrients>

EEA (2012) Water for agriculture, URL: <https://www.eea.europa.eu/articles/water-for-agriculture>

EEA (2012) European waters – current status and future challenges – a synthesis, URL: <https://www.eea.europa.eu/publications/european-waters-synthesis-2012>