

**EUROSAI WGEA Spring Session on  
Water Quality and Management**

# **Integration of EU water policy objectives with the CAP - a partial success -**

**ECA Special Report No 4/2014**

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**Ljubljana, 25 April 2017**

# Outline of the presentation

1. Why did we audit?
2. What did we audit?
3. How did we audit?
4. What did we find?
5. *What has changed since then?*

## Please take note:

The audit work was mainly performed in 2013 and the Special Report 04/2014 was published on 13 May, 2014.

# Why did we audit? (What's the problem?)

## Impacts of agriculture on ...

### Water quantity:

Increase of irrigated agricultural area:

- ⇒ Groundwater depletion
- ⇒ Destruction of wetland areas
- ⇒ Saltwater intrusion

**BUT**, agriculture is also dependent upon water and a 'victim' of water scarcity:

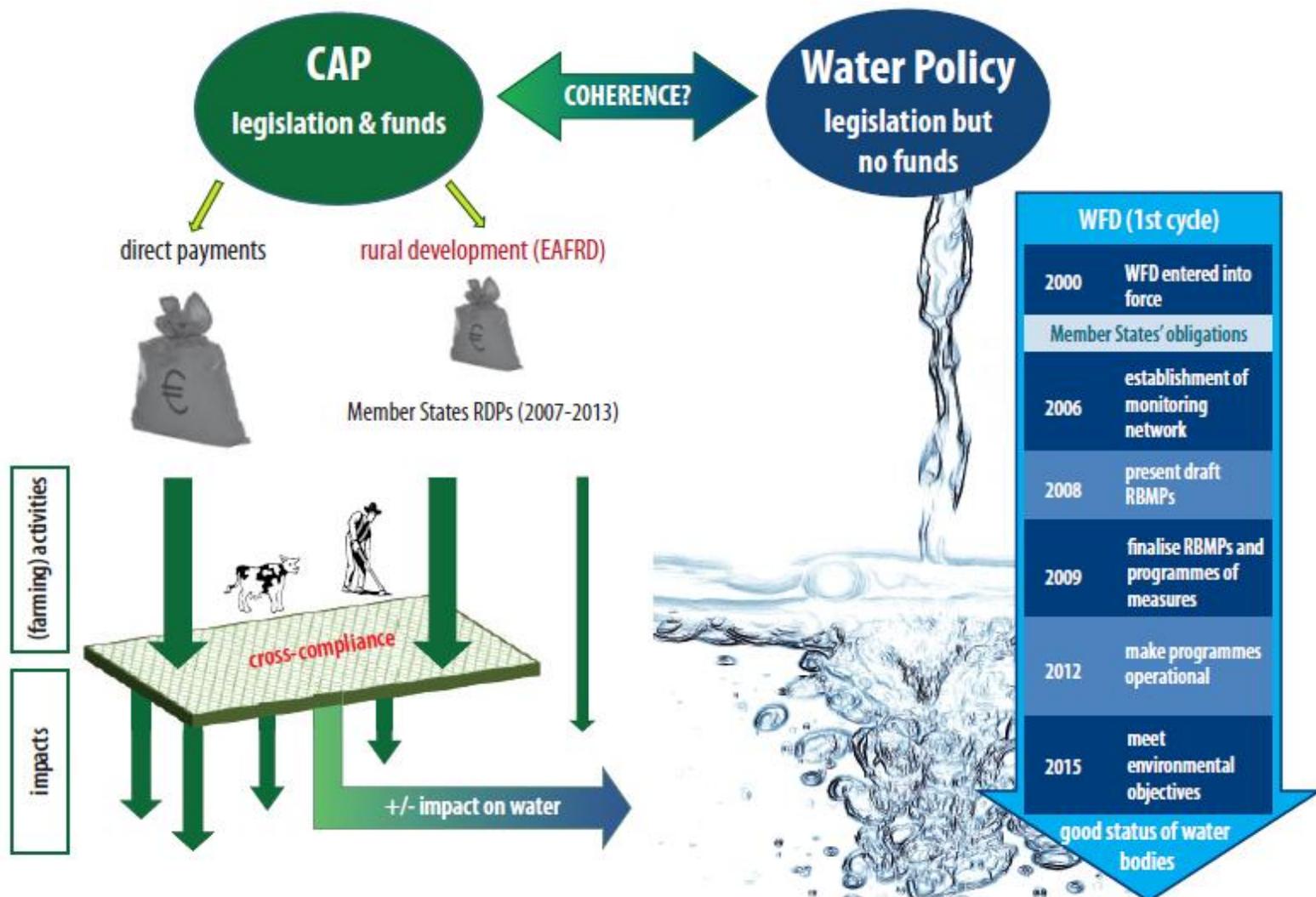
- ⇒ competition with other water users (households, industry)
- ⇒ climate change: increased water demand, reduced water availability

### Water quality:

- ⇒ Farm nutrients (nitrates, phosphorus):
  - Eutrophication of marine and fresh water ecosystems
  - Deterioration of drinking water quality  
(nitrates can cause cancer and "Blue baby syndrome")
- ⇒ Pesticides
- ⇒ Soil sediments (Eutrophication)

# What did we audit?

## Integration of the water policy into the CAP?



# How did we audit?

## Has the CAP effectively integrated the objectives of the EU Water Policy?

### Document review



- Commission procedures, guidelines, correspondence with Member States, meeting minutes, Commission audit reports
- Member States internal procedures, national legislation, monitoring data & other documents, audit reports of Supreme Audit Institutions
- General studies on water and agriculture

### Interviews



- Interviews with representatives of Member States, especially from Ministry of Agriculture (cross compliance and RDP) and Ministry of Environment (WFD), Supreme Audit Institutions
- Bilateral meetings with umbrella organisations of stakeholders
- Interviews with officials of the Commission (DG AGRI and DG ENV)

### On-the-spot visits

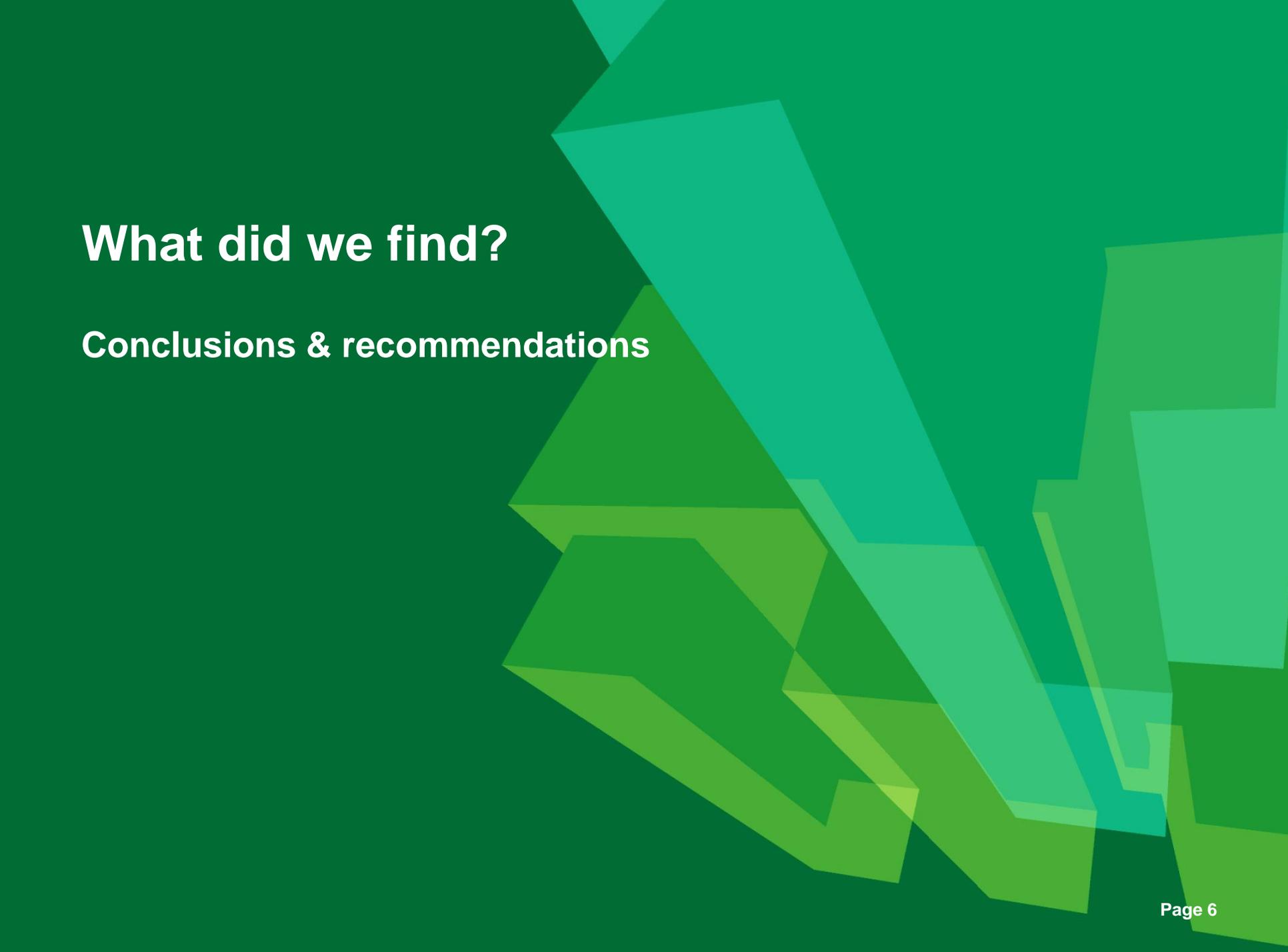


- Assessment of:
  - type of water-related projects financed in Member States (DK, EL, ES, FR, IT, NL, SK,)
  - how checks on cross compliance are executed
  - how CAP funds have incited beneficiaries to change their behaviour as regards water

### Survey



- Consultation of agricultural advisory bodies in the Member States included in the audit through a web-based survey



**What did we find?**

**Conclusions & recommendations**

## Conclusion 4

### Insufficient knowledge about pressures placed on water and how they evolve

- CMEF does not measure progress with regard to water objectives
- Incomplete water monitoring arrangements in Member States (networks set up late, with weaknesses, data gaps, methodological shortcomings, no data comparability, etc.)
- WISE needs to be further improved
- Development of agri-environmental indicators encounters problems (data availability, methodological problems)



Source: European Commission

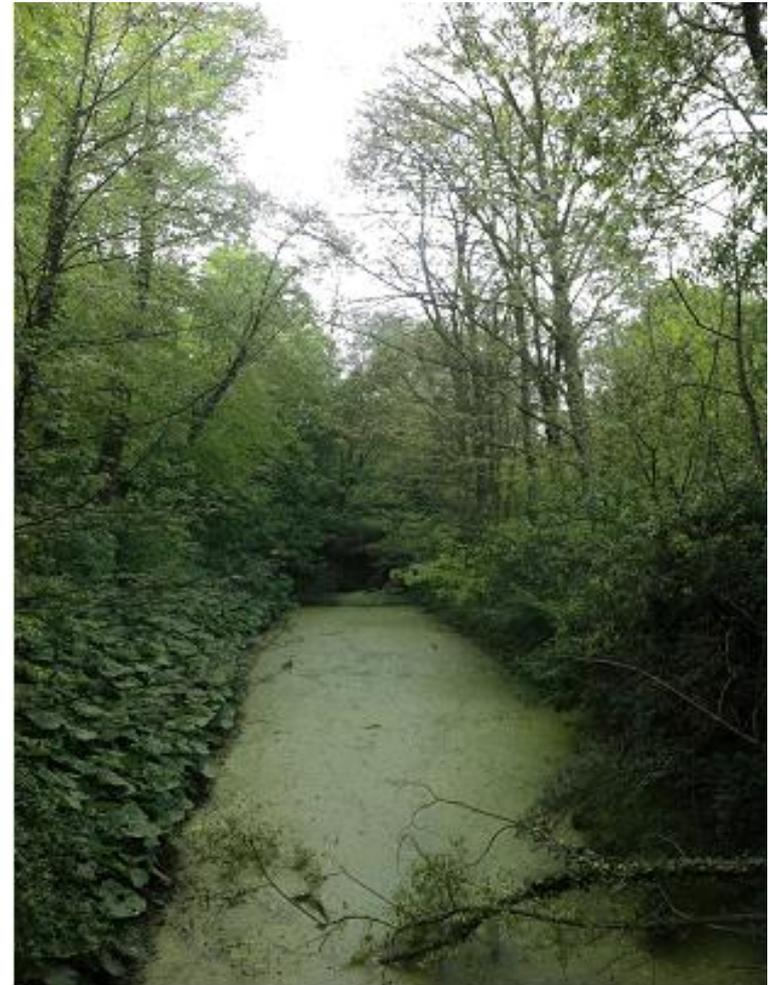
## Recommendation 4

### *The Commission should*

- strengthen its knowledge of the link between water quality/quantity and agricultural practices by improving its existing monitoring systems and ensuring that they are capable at least of measuring the evolution of the pressures placed on water by agricultural practices; this would help with identifying the areas in which CAP funds are most needed.

### *The Member States should*

- improve the timeliness, reliability and consistency of the data they provide to the Commission and the EEA.

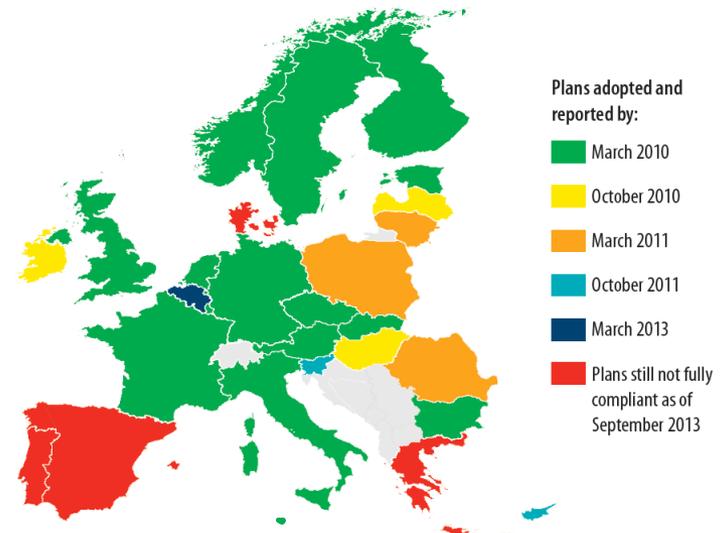


## Conclusion 3

### Delays and weaknesses affecting implementation of the WFD have hindered integration of the two policies

- Delayed implementation of the WFD
- Poor quality of programmes of measures
- Commission's limited influence over the quality of WFD programming documents (RBMPs, NAPs)
- Incomplete water monitoring arrangements in Member States as requested by the WFD

Overview map of RBMP adoption dates as of September 2013



## Recommendation 3

### *The Commission should*

- propose appropriate mechanisms that can effectively exercise a positive influence on the quality of Member States' WFD programming documents and avoid departing from the timeframe set by the WFD. To this end, minimum conditions as regards the implementation of the WFD could be ensured before committing rural development funds.

### *The Member States should*

- urgently speed up the process of implementing the WFD and for the next management cycle (2015) improve the quality of their RBMPs by describing individual measures (e.g. in terms of scope, timeframe, targets and costs) and making them sufficiently clear and concrete at an operational level.



## Conclusion 2

### Weaknesses in the application of cross-compliance

- Weaknesses at farm level (inadequate/insufficient storage facilities for manure, no or faulty fertiliser records, nitrate fertilisation above limit, etc.)
- Weaknesses at MS level (inappropriate timing of cross-compliance checks, incomplete/missing checks, etc.)
- The Commission does not ensure that GAEC standards are appropriate (assessment is limited, focused on legal aspects, not taking into account the environmental point of view of the water protection objectives)
- Cross-compliance penalties are not calculated on the basis of the cost of the damage caused

### Potential of RDPs not fully exploited

- MS RDPs do not always consider water concerns
  - ❖ Some RDPs do not comprehensively identify water concerns
  - ❖ RDPs are not yet aligned with RBMPs
  - ❖ RDP implementation sometimes has negative side-effects on water
- Rural Development funding has been under-used
  - ❖ Implementation rate of water-related measures is not always on track (only in half of the cases, M213 is not used)
  - ❖ Very low implementation rates of Health Check funds for water management

## Recommendation 2

*The Member States should*

- address the weaknesses identified by the audit in their performance of cross-compliance checks;
- impose the appropriate penalties in cases of infringement;
- put increased emphasis on identifying water-related problems in their RDPs and ensuring they are consistent with RBMPs;
- devise and rigorously implement safeguard mechanisms to avoid negative side-effects on water of activities financed by rural development;
- more actively consider and appropriately promote the use of the funds earmarked for water-related issues, in a way that is consistent with sound financial management.



Source: Sindre Langaas/www.balticdeal.eu

## Conclusion 1 – Overall conclusion

### Mismatch between ambitious policy targets and CAP instruments

- The impact of cross-compliance on water issues has so far been limited and some important water-related issues are not covered by cross-compliance
- The potential of rural development to address water concerns is not fully exploited
- The polluter pays principle is not integrated in the CAP

### Recommendation 1

*The Commission should*

- propose to the EU legislator the necessary modifications to the current instruments (cross-compliance and rural development) or, where appropriate, new instruments capable of meeting the more ambitious goals with respect to the integration of water policy objectives into the CAP.

# What has changed since then?

## New CAP period (2014-2020)

### Direct payments

- **Cross compliance:** Joint statement by the EP and the Council
- **Greening**

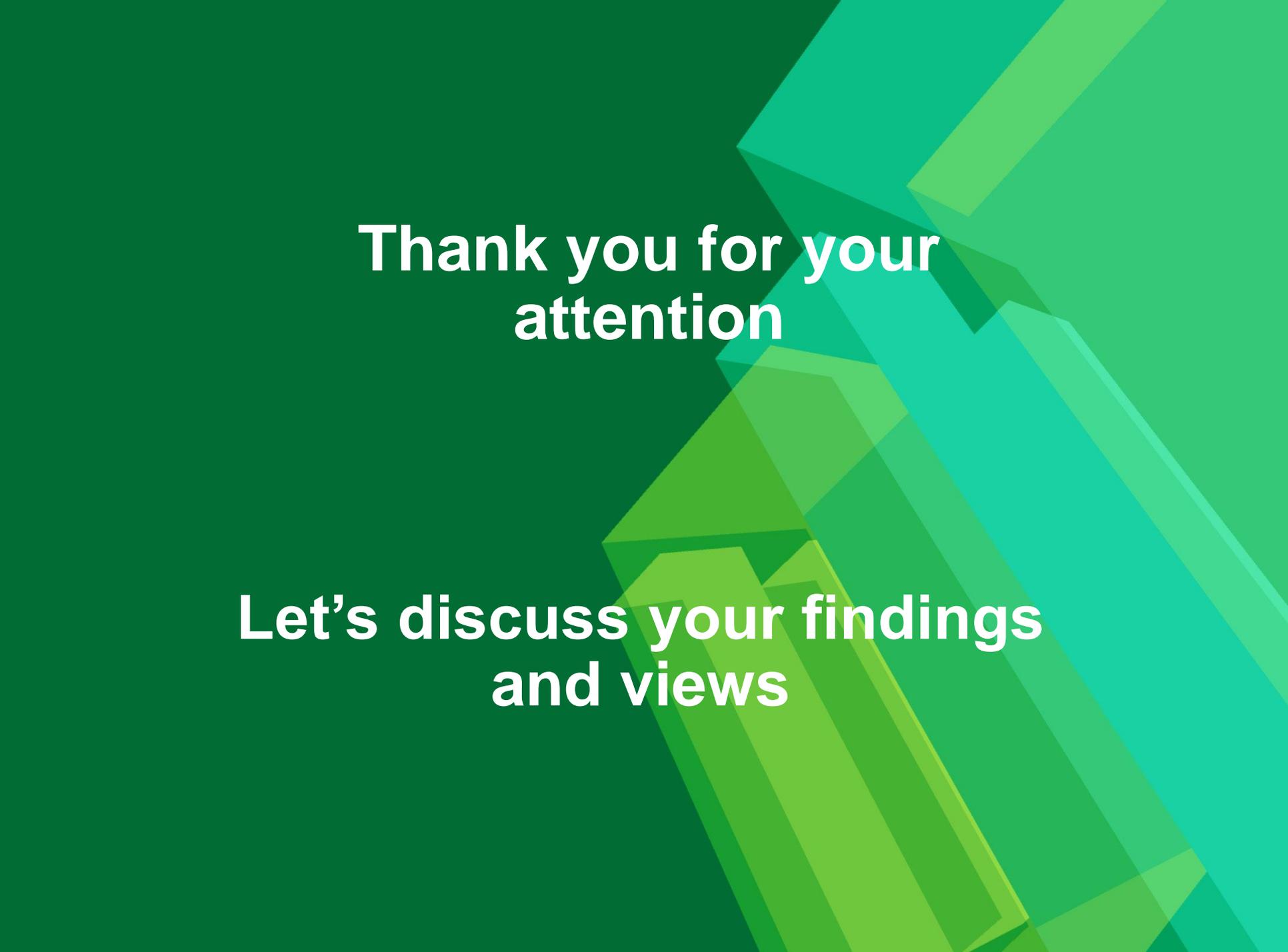
### Rural development

- **Ex-ante conditionality 5.3 Water sector** (Annex V of REG 1305/2013)  
**30/09/2016: 39 RDPs did not fulfil ExAC 5.2**
- **Saveguards for investments in irrigation** (Article 46 of REG 1305/2013)

## WFD – Implementation of second RBMPs

- **AT, EL, IE, LT, SE and parts of ES have not yet adopted second RBMPs**  
([http://ec.europa.eu/environment/water/participation/map\\_mc/map.htm](http://ec.europa.eu/environment/water/participation/map_mc/map.htm))

**Legal improvements, but also real improvements?**



**Thank you for your  
attention**

**Let's discuss your findings  
and views**