



## **EUREAU Position Paper on the Implementation of the Water Framework Directive - Definitions of Water Use and Water Services**

This position paper is one of Eureau's contribution to the European Commission's Common Implementation Strategy of the Water Framework Directive. Eureau supports the Commission's objective of furthering a consistent implementation of the Water Framework Directive across Europe. It believes it important that a common European view is taken on the activities which must be considered for inclusion among 'water services' and 'water use' by the national authorities responsible for the implementation of the WFD. This paper broadly sets out the constituent activities of water use and water services.

The concepts of 'water services' and 'water use' are central to the Water Framework Directive, which provides their definitions. These definitions have been made explicit in the final Wateco guidance (Annex II.III), and Eureau fully supports them. Eureau confirms the following principles:

- Water use includes the provision of water services. An adequate contribution of the different water uses must be made to the recovery of the water services costs.
- Water service users – often referred to as water consumers or customers - need to be distinguished from other water users. Water service users should not pay for the costs caused by other water users (by virtue of the polluter pays principle).
- Water services are defined in the WFD by the activities of which they consist and their output, not their ownership. Therefore, if activities described in Article 2 are provided as a service to the entity which carries out these activities (self-service), these activities constitute a water service for the purpose of the WFD.
- Water use includes all activities, beside the provision of water services, which have a significant impact on water status. While each country needs to assess which activities have a significant impact, there must be a presumption that, in particular, industry, agriculture (not just irrigation but farming activities generally), flood control, navigation and recreation are water uses in the context of the WFD.

## **Annex – Primary sources in the WFD for the definitions of water use and water services**

After its recital, the WFD first refers to the concept of water use in Article 1. The Directive is to establish a framework for the protection of various waters which promotes sustainable water use, in particular. Also, and still in Article 1, the Directive is to contribute to the provision of a sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable water use.

Article 2 defines water services as:

All services which provide, for households, public institutions or any economic activity:

- a) abstraction, impoundment, storage, treatment and distribution of surface water or groundwater
- b) waste-water collection and treatment facilities which subsequently discharge into surface water (surface water includes coastal and transitional waters as well as inland waters except groundwater)

Article 2 defines water use as:

Water services together with any other activity identified under Article 5 and Annex II having a significant impact on the status of water.

Article 5 says that each Member State must undertake an economic analysis of water use.

Article 9 says that Member States shall:

- take account of the principle of recovery of the costs of water services
- ensure (by 2010) that water-pricing policies provide adequate incentives for users to use water resources efficiently
- ensure an adequate contribution of the different water uses to the recovery of the costs of water services

Annex II says that Member States shall carry out a characterisation of all water bodies (which will identify activities having a significant impact, which will define them as water uses).

Annex III defines the information which the economic analysis should provide and significantly distinguishes water services from water use:

- For water services, the analysis will provide sufficient information to take into account the principle of recovery of the costs of water services (Article 9).

- For water use, the analysis is to provide the most cost-effective combination of measures for inclusion in the river basin management plans.