Ten years of WFD implementation in Europe: a critical review based on the experience made in Germany

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Abstract Where do we stand on water protection in Germany ten years after the introduction of the European Water Framework Directive (WFD)? – a European environmental directive, which for many stakeholders was not just another bureaucratic monster from Brussels, but an innovative instrument and a bearer of hope for better water protection. The formal conversion to national law and the implementation of the planning processes in Germany have essentially been met but one conclusion of the implementation process is that certain key issues of river basin management have been accomplished by state-specific regulations rather than by nationwide accord. The figures on the status of water bodies are however disillusioning: we are still a long way off the main target of achieving a "good" status of surface and groundwaters by 2015. In fact, "exemptions for achieving objectives" have been applied to 82% of all surface water bodies. The good news is that a "good chemical status" has been assessed in 88% of water bodies. This is an incontestable success in water protection, particularly in the reduction of wastewater loads from industry and settlements, which is not owing to the implementation of the WFD but to the consistent application of the 'polluter pays principle' (PPP) in the wastewater sector over recent decades. However, it must be noted that only some of the German states have applied the modified requirements by the Environmental Quality Standards Directive (2008/105/EC) at the time of the status assessment. This will reduce the water bodies with a "good chemical status".

Granting extensions for the achievement of objectives is both inevitable and correct, but does this not ultimately lead to "minor environmental objectives"? And would this not do disservice to water protection with its exhaustive reporting and evaluation procedures? Our concern is: "yes" if we do not simultaneously make substantial progress on the following points:

1. PPP should also be applied to those users who share major responsibility for the ecological deficits and the loss of ecological functions today.
2. Solve the lack of available land for nature and water protection. River corridors that are sufficiently wide would create more habitats and at the same time reduce agro-chemical loads but due to bioenergy demands land use pressure is set to even increase in the near future.
3. A more effective water protection must be embodied consistently in agro-environmental measures. It must be decided where non-binding measures are insufficient and therefore where restrictions of use should apply - with or without compensation.
4. At present climate change impacts and accompanying adaptation strategies are still given little consideration in management plans. However, actual or anticipated influence of climate change should not be used as a reason for not having implemented necessary water protection strategies in the future.

The focus for future water protection strategies should actually be outside of the field of water management itself, i.e. in agriculture, energy production and transport. The WFD thereby still provides an opportunity but no guarantee for achieving the required amount of water protection through an ecologically feasible design. The reconciliation of different users' interests from completely different fields of policy will play a major role in achieving ecological objectives and this calls for unconventional instruments.

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