

# ICPDR response to the stakeholder consultations process 2005

*(version 4)*

## Background:

Following the provisions of art. 14 of the EU Water Framework Directive (EC/60/2000), the ICPDR undertook several initiatives to further enhance the involvement of stakeholder groups in its ongoing work. These initiatives go beyond reaching the ICPDR observer organisations, currently involved in the ICPDR work.

Following the adoption of the Danube Analysis Report 2004 by the ICPDR Ordinary Meeting in December 2004, the ICPDR undertook two major steps to receive feedback on the findings of the Danube Analysis Report 2004:

- ICPDR Stakeholder Conference 2005, 28-29 June 2005, Budapest (Hungary)
- Written feedback about the findings of the Danube Analysis Report 2004 using direct invitation and open announcement

Based on the ICPDR Stakeholder Conference Report and the outcomes of the feedback received on the findings of the Danube Analysis Report 2004, the **ICPDR response to the stakeholder consultations process 2005 (ICWD 235)** has been prepared. Aim of this document is to summarise the recommendations and conclusions of the stakeholder consultation and to highlight the topics, where further discussion and /or cooperation with stakeholder groups is needed.

Due to the ongoing consultation process this list cannot be seen as exhaustive, but will need further development, based on the ongoing input and feedback received from the stakeholder groups and on the activities carried out as a response by the ICPDR.

The topics are not listed hierarchically. The descriptions of “issues”, “rationale” and “suggestion” are based on the opinions expressed by the stakeholder groups during the stakeholder consultation process. The “response” describes the actions undertaken or planned by the ICPDR to further work on the topics and refers to the current situation.

The involvement of the stakeholder groups is a prerequisite of successful river basin management planning and therefore welcomed at all stages. To further enhance this process the ICPDR encourages the participation of stakeholder groups as accredited observers in its working structures (such as the ICPDR Ordinary Meeting, the different expert and task groups). For further information on the procedures and on how to get involved, please visit the ICPDR website (<http://www.icpdr.org>) contact the ICPDR Secretariat ([icpdr@unvienna.org](mailto:icpdr@unvienna.org)).

### 1. Public Participation

Issue: Public participation deficits on national levels.

Rationale: The initiatives undertaken by the ICPDR on the basin-wide level are seen positively. However, these initiatives can only support, not replace public participation activities on the national / sub-basin / local level. A serious problem at the different levels is funding for participation at meetings and conference; this is of special importance for environmental NGOs.

- Suggestion:** The ICPDR Secretariat should work closer with the public participation focal points nominated by the contracting parties in 2003. The ICPDR Secretariat should provide guidance on public participation activities on the national level. The ICPDR should ensure the funding of future public participation initiatives.
- Response:** The ICPDR established an ad-hoc Public Participation Expert Group (PP EG) in December 2005, which ensures better cooperation and information between the respective countries on one hand, and the countries and the Secretariat on the other hand. The PP EG also better link the public participation activities on the different levels. In addition, the Secretariat can provide technical assistance to countries, if requested.  
Note, that the ICPDR encourages the participation of stakeholder groups in the different working structures; the PP EG provides only guidance to tools and methods applied to ensure public participation.

## **2. ICPDR Flood Action Programme – Integration into Danube Analysis Report**

- Issue:** Missing integration of the ICPDR Flood Action Programme into the Danube Analysis Report 2004.
- Rationale:** These two initiatives of the ICPDR should not run in parallel, but be better linked. Floods should not be seen separate from the ICPDR activities to implement the EU Water Framework Directive.
- Suggestion:** There should be a better integration of the modalities of the Flood Action Programme when developing the Danube River Basin Management Plan (DRBMP).
- Response:** The Flood Protection Expert Group (FP EG) and the River Basin Management Expert Group (RBM EG) of the ICPDR cooperate closely for the preparation of DRBMP and the implementation of the ICPDR Action Programme on Sustainable Flood Protection. The integration of these two activities is of special importance for the ongoing integrated river basin management planning on the sub-basins levels (e.g. in the Tisza sub-basin).

## **3. ICPDR Flood Action Programme – harmonisation of forecasting systems**

- Issue:** Need to harmonize the forecasting systems among the Danube countries.
- Rationale:** The communication between countries has failed in the past, and the delays in transmitting flood warnings led to increased damages.
- Suggestion:** The development and improvement of flood forecast and early warning system in the Danube River Basin should be part of the ICPDR Flood Action Programme.

**Response:** Under the coordination of EU Joint Research Centre in Ispra (Italy) the Danube flood alert system based on the LISFLOOD model is under development as a part of the European flood alert System (EFAS). The ICPDR is involved in this activity and will ensure the applicability in the Danube River Basin. The forecast system can be implemented by 2007 at the earliest.

#### **4. ICPDR Flood Action Programme – information exchange**

**Issue:** There is a need for a regular forum of information exchange on flood issues; such an exchange is currently missing.

**Rationale:** Sharing information on flood prevention, protection and mitigation increases cost-effectiveness of the implementation of flood protection policy.

**Suggestion:** It is suggested to create a forum for the exchange of expert knowledge including also the experience of stakeholders. This should be seen as an integrated part of the ICPDR Flood Action Programme.

**Response:** The ICPDR is creating a forum for exchange of expert knowledge and stakeholder experience on flood issues in the framework of the Flood Protection EG (FP EG). The FP EG is also in regular contact with the Rhine and Elbe River Basin Commissions to make use of the experience gained. A list of web sites containing information on flood protection related research and development projects as well as the online hydrometeorological information on the Danube River Basin is also available in the DANUBIS (FP EG internal area).

#### **5. EU Policies**

**Issue:** Missing integration of the ICPDR activities for the implementation of the WFD with other EU policies, such as the CAP reform, the TEN-T, conservation policies (e.g. Nature 2000) and other regional planning processes.

**Rationale:** The missing integration of the different EU policies may lead to the failure of the respective initiatives, including the failure of reaching the objective of the WFD. This discrepancy is not only visible at the ICPDR level, but can also be seen on EU level, when action programmes and initiatives are not coordinated between the respective Directorate Generals.

**Suggestion:** The ICPDR should monitor the different initiatives, having an impact on the implementation of the WFD and initiate a dialogue with the respective interest groups.

**Response:** It is beyond the mandate of the ICPDR to be actively involved in all EU policies. However, the ICPDR (through the ICPDR Secretariat) participates in various activities and initiatives at EU and international level discussing the linkages between the implementation of WFD and other relevant EU reforms (such as CAP reform, IPPC, UWWTD, TEN-T implementation). In addition, the ICPDR will also enhance the consultation with representatives of respective stakeholder groups when discussing certain topics (such as navigation, hydropower, industrial pollution).

## **6. Projects with hydromorphological impacts**

**Issue:** The Danube Analysis Report 2004 is missing reflections on newly planned projects having hydromorphological impacts on the basin-wide level.

**Rationale:** The missing information might lead to a failure of reaching the objective of the WFD. There is the danger that several projects are implemented on a national level, ignoring their basin-wide impact.

**Suggestion:** The ICPDR Secretariat should keep a list of all planned projects having a basin-wide impact, being it in strategic or in practical terms. Such a list could assist the ICPDR in its efforts to act as a platform for coordination for the issues of international importance.

**Response:** The ICPDR has identified hydromorphological alterations as one of the four key management issues (Danube Basin Analysis Report 2004). The ICPDR is developing an Issue paper on hydromorphological alterations in the Danube River Basin in 2006, which will provide an overall strategy and guidance how to address the management issue of hydromorphological alterations, how to develop a relevant management approach regarding measures and how an improvement of status can be achieved on a basin-wide scale.

## **7. Nutrients and wetlands/floodplains**

**Issue:** The complex interaction between wetlands/floodplains and nutrients does not get enough attention when developing the DRBMP.

**Rationale:** The importance of the possible negative impact of nutrients is well reflected in the Danube Analysis Report 2004, but the linkage between wetlands/floodplains and nutrient removal is not considered well enough. Better knowledge might have an influence on the future management of wetlands/floodplains. Therefore it is important that the nutrient removal capacity of wetlands/floodplains is fully considered when developing the DRBMP, e.g. through higher emphasis on the protection of wetlands/floodplains.

**Suggestion:** Wetland management has to be reflected when developing the DRBMP and the potential of nutrient removal should be adequately assessed. There is also a clear need for ensuring adequate wetland protection in the basin, as a high proportion of such wetlands has already been lost.

**Response:** The ICPDR has incorporated this issue in its activities and reflects it in its report on the implementation of the ICPDR Joint Action Programme (2000-2005), which should be ready in June 2006. This report also tries to assess the potential and current status of wetlands/ floodplain nutrient removal capacities of the major wetlands of the DRB. In addition, a proposal for the better understanding and integration of wetlands into the river basin management will be developed utilizing the outcomes of the UNDP/GEF Danube Regional Project (project component 4.3).

## **8. Nutrients reduction**

**Issue:** The development of additional scenarios on nutrient reduction is necessary for better political decision-making.

**Rationale:** Such scenarios should reflect the development of point and diffuse source emissions over time and refer to different baseline scenarios.

**Suggestion:** The ICPDR should develop scenarios on the effects of different sets of measures with regard to different pollution reduction targets. In addition, the ICPDR should develop a region-specific approach when developing the measures to combat nutrients.

**Response:** The ICPDR has agreed to further develop MONERIS as a management tool to provide enhanced information for improved policy decision-making at the ICPDR and country levels.

## **9. P-free detergents**

**Issue:** The introduction of P-free detergents is of highest priority.

**Rationale:** The discharge of phosphorus is one of the major problems in terms of nutrient pollution, which results in eutrophication of parts of the basin and the Black Sea.

**Suggestion:** The ICPDR should actively promote the introduction on P-free detergents.

**Response:** The ICPDR will evaluate a strategy for the introduction of voluntary agreements for phosphate reduction based on the recommendations of the UNDP/GEF Danube Regional Project. These recommendations should be based on experiences of Western European countries, in the context of related developments (policy and legislative) at the European

Union level and take account of the institutional and economic capability of the DRB countries. It is intended that the ICPDR, the contracting parties and the detergent industry negotiate this strategy.

## 10. Information on hazardous substances

- Issue:** Weak information on pressures of hazardous substances is available on basin-wide level based on emission data.
- Rationale:** It is of high importance to gain more information on the production, use and emissions of hazardous substances. In addition, data on biota and concentration of suspended solids in water bodies and the hazardous substances therein is important, since these contribute to a high bio-availability of hazardous substances. Therefore, it would be useful to obtain information about the pathways of certain substances in environmental media, so as to better assess and develop measures for the reduction of the input of hazardous substances.
- Suggestion:** The ICPDR emission inventories should put more emphasis on acquisition of data on hazardous substances to identify the major pollution sources and their contribution to the fluxes of priority substances (monitoring of discharges). The ICPDR should further improve the Transnational Monitoring Network (TNMN) and more actively stimulate the monitoring and collection of information on hazardous substances (respecting the principle of cost-effectiveness). Joint Danube Surveys (JDS) should be carried out on a regular basis.
- Response:** The ICPDR has developed the Danube List of Priority Substances, based on the EU List of Priority Substances, determinands of TNMN and the Joint Danube Survey and the values reported from the ICPDR emission inventories.
- The ICPDR has initiated the revision of TNMN in line with WFD requirements and will be finalised in January 2007. The screenings of sources and in-stream occurrence of hazardous substances is in progress. Based on these data the response planning will be formulated by the Pressures & Measures Expert Group and Monitoring & Assessment Expert Group. The new Monitoring Programmes and Networks will be reported to the European Commission by February 2007.
- After the completion of the first TNMN monitoring cycle (end of 2007) and the findings of JDS 2 (carried out in 2007), additional data are expected to be available.

## 11. Environmental standards for organo-compounds (organic micropollutants) and heavy metals substances

- Issue:** No common environmental standards for organo-compounds and heavy metals exist.

- Rationale:** The existence of such information is crucial for the successful implementation of the WFD
- Suggestion:** An initiative for the Danube basin should be undertaken, in line with the work of the EU Commission on environmental quality standards (EQS).
- Response:** The ICPDR will support the establishment of EQS for the relevant substances in the Danube River Basin in line with the provisions of the expected EU Dangerous Substances Directive.

## **12. Hazardous substances – source oriented approach**

- Issue:** The focus of the ICPDR approaches and activities is still too much “end-of-pipe” oriented.
- Rationale:** Only a source-oriented approach can lead to sustainable solutions when tackling hazardous substances.
- Suggestion:** The ICPDR should formulate policies for reducing the use of priority hazardous substances at the national level. An overall political commitment is needed at the national level to support pollution reduction schemes. The ICPDR should play a role in instilling this commitment and help with supporting and promoting the precautionary principle.  
The requirements of the WFD need to be linked more explicitly with those of other EU directives, such as the EU Urban Wastewater Treatment Directive (UWWT) and the EU Integrated Pollution Prevention and Control Directive (IPPC).
- Response:** The ICPDR is developing a programme of measures (PoM) as requested by the WFD. The PoM will incorporate end-of-pipe solutions and policy recommendations, including the promotion of the precautionary principle.

## **13. Hazardous substances – awareness raising**

- Issue:** Little awareness about hazardous substances exists.
- Rationale:** Raised public awareness will lead to stronger public support when introducing measures for the reduction of hazardous substances. This includes educating the public, industry and national government representatives.
- Suggestion:** The ICPDR should play an important role in this process at the national as well as the international level. Stakeholders could contribute by initiating a co-ordinated approach to support the tasks of the ICPDR.



**Response:** The ongoing activities of the ICPDR are aiming to extend the understanding and awareness about hazardous substances. These activities will be enhanced in the future (JDS 2, PoM).

#### **14. Hydromorphological alterations and WFD - potentially contradictory effects**

**Issue:** There is a potentially contradictory effect of infrastructure development (e.g. for energy production, flood protection or navigation) and the attainment of the good ecological status according to the WFD.

**Rationale:** While the EU supports hydropower and navigation, no absolute priority is granted to these uses over ecological aspects. There is a potential 'domino effect' of hydromorphological structures. This is aggravated by the short planning horizon for new hydropower projects in the context of EU energy liberalisation policies. The linkages between longitudinal and lateral connectivity is important, since morphological alterations usually affect both dimensions of connectivity.

**Suggestion:** There is a clear need to differentiate between already existing and planned/newly built hydromorphological structures. Newly built structures shall include best available techniques and practice while existing ones – if they have an impact - need to be adapted to certain standards (to be included in the Programme of Measures). Cost-benefit analyses should be employed to guide decision-making in planning infrastructure, but also in discussing the possible mitigation. Careful land-use planning should be employed. The Danube Analysis Report 2004 should not only discuss hydromorphological alterations, which are human-induced, but also reflect that natural processes that can also cause hydromorphological changes.

**Response:** The currently drafted ICPDR Issue paper on hydromorphological alterations in the Danube River Basin addresses both current pressures and upcoming pressures, which might result from future infrastructure projects. The issue paper will provide relevant guidance for the development of measures related to current as well as future hydromorphological impacts.

#### **15. WFD and TENT-T**

**Issue:** Especially the implementation of the WFD and the Corridor 7 of the TEN/T may have contradictory effects. There is a need for a combined implementation of the WFD and the TEN-Ts projects.

**Rationale:** The implementation of certain projects is moving ahead without the execution of an overall the Strategic Environmental Assessment (SEA) beforehand (particularly in the lower Danube projects have been started).

**Suggestion:** Need for a Strategic Environmental Assessment (SEA) on a basin level and a potential role for the ICPDR in facilitating this. There is also the need for Environmental Impact Assessments (EIAs), as well as legal compliance of individual projects with national water laws and the WFD on a national level. Thus, while the ICPDR will be the transboundary platform to prepare a Programme of Measures, this does not take away national responsibility and legal requirements for EIAs. Overall on the international level, there is a need to provide a forum to generate understanding on these issues of future infrastructure projects and their impacts.

**Response:** The ICPDR is in discussion with the main international organisations responsible for the improvement of navigation on the Danube. Goal of the ICPDR is to secure that the improvement of the navigation on the Danube is not interfering with the requests of the WFD to maintain/achieve good ecological status. The ICPDR Issue paper on hydromorphological alterations in the Danube River Basin will also assist in this process, since it will provide the technical background for the political decisions. In addition, the ICPDR will urge the development of guidelines to ensure planning processes respecting integrated management of the river.

## **16. Sturgeon as a flagship species for the Danube River Basin**

**Issue:** Implement sturgeon protection - in line with achieving “good ecological status” of the WFD - by using a highly endangered key fish and associated symbol assisting in public awareness raise.

**Rationale:** Sturgeons feature a strong symbolic value along the Danube River as they are unique fish, produce the caviar, and migrate from the sea upstream to their spawning sites. Therefore, urgent actions are needed for the protection and revival of highly endangered sturgeons to prevent their extinction. By making the sturgeons’ life-cycle functioning (i.e. opening dams, habitat restoration) and stopping over-exploitation, promote sustainable management practice in the Danube River Basin. The goal is to achieve a common sturgeon project supported by all riparian Danube countries.

**Suggestion:** The ICPDR should be pro-active to promote coordination and implementation of national programmes according to the Sturgeon Action Plan of the Bern Convention. All these actions should be presented in one sturgeon conservation programme and use their symbol.

**Response:** The RBM EG has installed a Sturgeon Task Group to identify the overlaps of the Sturgeon Action Plan and the Danube River Basin Management Plan (Programme of Measures). The ICPDR will consider the proposal mentioned above when planning future public awareness raising activities.

## 17. Designation of Heavily modified Water Bodies (HMWB)

- Issue:** Disagreement with the designation of HMWB in certain countries.
- Rationale:** The respective national assessment methodologies are not very precise and clear. There was some disagreement on the provisional identification of certain stretches as HMWB by national governments in the context of the Danube Analysis Report 2004. Specific stretches have in reality not been changed enough in their character to be provisionally identified as HMWB.
- Suggestion:** The ICPDR should have a stronger role in further designation processes and provide guidance on this issue. The issue of HMWB should be examined again in follow-up action, and more harmonisation should be aimed for. Also the issue of “good ecological status “ and “good ecological potential” should be further examined.
- Response:** The identification of HMWB within the Danube Basin Analysis 2004 is provisional. The final designation of HMWB will take place in subsequent DRBM planning steps. Both the European Commission and the ICPDR will provide further guidance on this process. The increase on information related to the status of water bodies, which is being undertaken at the national level (e.g. by first WFD compliant monitoring results), will support the designation process.

## 18. Sediment

- Issue:** Sediment issues need to be considered in an integrated way and are not reflected enough in the Danube Analysis Report 2004.
- Rationale:** Sediment contamination causes problems in ports and waterways when these sediments have to be dredged, due to the high costs for disposal on land and/or treatment. The implementation of the WFD should ensure the wider and consistent application of the 'polluter pays' principle.
- Suggestion:** The ICPDR should play a more active role in this issue and develop a strategy to work on it in the future.
- Response:** The ICPDR is currently developing an issue paper on ‘Management Problems of Sediment Quality and Quantity in the DRB’, which will help to deal with this issue on a basin wide scale. Sediment transport has not been identified as a key management issue due to information gaps within the Roof Report 2004. An addendum to the Roof Report on sediments will be developed by 2009.

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