



**COUNCIL OF
THE EUROPEAN UNION**



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Parliament-Council Conciliation Committee

AGREEMENT ON THE BATHING WATER DIRECTIVE

Today, the Council and the European Parliament succeeded in reaching agreement in the Conciliation Committee¹ on a joint text for a draft directive on bathing water quality.

The agreement will allow for rapid adoption of the directive, in accordance with the joint text, by the Parliament, acting by an absolute majority of votes cast, and by the Council, acting by a qualified majority².

The draft directive aims to enhance public health and environment protection by laying down provisions for the monitoring and classification of bathing water. It also provides for extensive public information and participation (in line with the Århus Convention) as well as for comprehensive and modern management measures.

¹ The meeting was co-chaired by Professor Trakatellis, Vice-President of the European Parliament and Mr. Elliot Morley, Minister of State (Climate change and Environment).

² Article 251(5) of the Treaty.

P R E S S

It will apply to surface water where a large number of people are expected to bathe, establishing a method for monitoring bathing water quality during the bathing season on the basis of two microbiological classification parameters (intestinal enterococci and escherischia coli) relevant for compliance with its provisions.

It provides for the assessment of water quality on the basis of the set of water quality data compiled during the bathing seasons, establishing 4 levels of classification (poor, sufficient, good, excellent), a classification of "poor" might leading to a permanent bathing prohibition.

The draft directive provides for the establishment of profiles describing the characteristics of the bathing water and identifying sources of pollution. The existence of pollution might result in the need for regular reviewing, information to the public and prohibition on bathing.

In order to ease the monitoring burden for Member States, the draft directive proposes reduced monitoring frequencies if the bathing water quality proves to be constantly "good" or "excellent".

Directive 76/160/EEC¹ will be repealed and replaced, to reflect scientific knowledge gained since 1976. The new directive will complement Directive 2000/60/EC² (the "water Framework Directive") as well as the Directives on urban wastewater treatment³ and on nitrates pollution from agricultural sources⁴.

The issues which have been settled by conciliation concerned, in particular:

Public information and participation:

- Member States should ensure that the public will *find out how to participate* in the implementation of the directive;

¹ OJ L 31, 5.2.1976, p. 1

² OJ L L 327 , 22.12.2000, p.1

³ Directive 91/271/EEC of 21 May 1991 (OJ L 135, 30.5.1991, p. 40), Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁴ Directive 91/676/CEE of 12 December 1991 (OJ L 375, 31.12.1991, p. 1). Directive as amended by Regulation (EC) No 1882/2003.

- The results of the monitoring will be available on the Internet *upon completion of the analysis*.

Standards and viruses

- For the "sufficient" category, the values of the parameter for "intestinal enterococci" become 330 for inland waters and 185 for coastal waters, based on a 90 percentile evaluation;
- Plans should be drawn up for bathing waters with a "sufficient" profile showing measures planned to identify and assess sources of pollution and any measures planned to reduce the risk of pollution; these plans should set out an indicative timetable for any measures to improve the quality of the water; such plans should be disseminated;
- The Commission shall submit its report by 2008, with particular regard to the results of epidemiological studies, including in relation to viruses;
- Member States shall, by the end of 2014, submit written observations on the report in view of the Commission review of the directive;
- When reviewing the directive, the Commission shall verify whether it would be appropriate to modify the standards or to phase out the "sufficient" classification;

It should be noted that agreement had already been reached on a number of amendments to the common position, concerning particularly the following aspects:

- for bathing water classified as "poor", the causes of pollution and measures taken will be indicated by a clear and simple warning sign;
- the current classification of the bathing water, as well as any temporary deterioration, bathing prohibition or advice against bathing, will be indicated to the public by a clear and simple sign or symbol;
- bringing forward by one year the deadline for the establishment of bathing water profiles;
- bringing forward by one year the deadline for implementation of the Directive;

- a requirement for Member States to disseminate information to the public in several languages when appropriate;
- the setting of a deadline of 2020 for the Commission's review of the Directive.

Reference documents: Council's common position (12884/1/04) and outcome of the European Parliament second reading (8724/05).
