

WATER MANAGEMENT POLICY AND ITS PRINCIPLES WITHIN THE EUROPEAN UNION

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Abstract

On the 18th of March, 1998, Hungary, just like the other most prepared countries for the accession process to the European Union, did get the chance to start the negotiations of accession, which are targeted to reach full membership and to figure out all detailed conditions of the accession. The aim of the accession process is to ensure the concerned national legal system be adjusted to the demands given by the Union law. The goal of this summary is to provide an overview and to discuss an analysis about the regulation principles of water management as part of the environment protection.

Keywords: European Union, negotiations of accession, environment protection, water management.

1. Introduction

On the 18th of March, 1998, Hungary, just like the other most prepared countries for the accession process to the European Union, did get the chance to start the negotiations of accession, which are targeted to reach full membership and to figure out all detailed conditions of the accession. The aim of the accession process is to ensure the concerned national legal system be adjusted to the demands given by the Union law. In order to achieve the above goal, the accession process focuses on becoming acquainted with the legislation of the Union and gradually but continuously drawing the domestic law near to the legal system of the European Union. One of the first steps of this process was the creation of so-called national reports enlightening the position, law of order and its status of the concerning countries as compared to the EU requirements. In the Hungarian National Report, the environment protection was formulated as one of the areas that require the highest budget for the solution [4].

The goal of this summary is to provide an overview and to discuss an analysis about the regulation principles of water management as part of the environment protection.

2. Principles of Water Management Policy by the Accession Process to the European Union

Considering the clearest outcome is the need for higher level integration when implementing the water related European legalisation, in the following areas:

- water quality and quantity
- economy of on and below surface water reserve
- use of water and environment protection
- other water related law harmonisation

According to the Committee proposals, this integration might be realised by the implementation of the Framework Plan for Water Management. The draft must contain a general water body related state-estimation, which discusses the questions of water quality, use potential and environmental effects. The draft also has to formulate special aims in the water regulation, which consider the procedures, tasks and scheduling, concerning the water body (phased plan must be created). The integrated plans of water management are more effective if made by catchment area, mainly in case of inter-country rivers.

Certainly, water management, as a sector of economy, follows the macro-economy waves of conjuncture and de-conjuncture, technological trends (say modes) – the processes that might not be discussed without political context. These latter factors determine those priorities that join to the approval and introduction of international agreements, EU directives and principles.

The domestic water management may actually be described as a period of transition showing strong dynamics, which mirror the continuous change of the economic and political circumstances.

Regulation of environment protection on government level would be the first priority in the temporary structure described above. The short-term economic conflicts, e.g. high inflation, decreasing or at least keeping the rates of unemployment, can force the mid-term and long-term interests off the list of primary importance tasks.

A very big part of the current legislation concerning water management was born still in the socialist system in Hungary, mirroring its political criteria. The regulation was worked in compliance, within the frames of centralised state authority, however, this has proved inadequate during the period of development and stabilisation of the market economy.

However, there were some changes in some areas in the legislation of environment protection, during the past couple of years. Fundamental statutes (and government edicts) were born to directly touch water management. Great leaps forward occurred in three major areas of environment protection law, in 1996: nature protection (1996/LIII), hazardous waste (decree no. 101/1996 and 102/1996) and hazardous materials, products (decree no. 233/1996).

Privatisation and the change in product structure have increased both number and pattern of water users and polluters. The environmental authorities and the

water inspectorates have not been able to react to the changes, based on causes being no subjects of this lecture.

In the opinion of the Integration Department of the Ministry for Environment and Regional Policy by the expected date of joining the EU, the total legal harmonisation is planned to be implemented, all environmental EU Directives and Regulations are going to be put in the Hungarian legislation. In the course of the negotiations the Hungarian party is not going to ask for any full total derogation in the field of environment protection.

Significant problems have been accumulated in the field of water management, mainly sewer and sewage treatment in the last decades:

- The level of water use has been decreased in the communal, industrial and agricultural sectors. The volume of drinking water consumption is about 60% of the former maximal consumption. The 'overproduction' of drinking water causes economic and cost effectiveness problems in water management, sign of which is the rapidly increasing water and sewer fee.
- Because of the trend discussed above the absolute amount of sewage has also been decreased. The level of pollutants (kg released COD) has not been changed in the communal system which means that the sewage is more concentrated. The volume of industrial release has also been decreased, mostly because of the economic recession, but rarely happens that some plants, with the technological change, shift to less polluting and less water requiring technology, or introduce more high tech sewage pre-treatment technology. The current water use sewage discharge parameters are more or less similar to the EU average, and it is not really possible that the water consumption may reach the level before the '90s.
- The uncertainty of economic and economics policy expressed in the forecasts makes the selection of 'cost effective' sewage treatment technologies more difficult because the estimations (primarily on the side of industrial and agricultural consumers) considering water consumption greatly differ.
- The costs of water management have been increased, not only because of the surplus capacity but because in the current business environment a natural tendency is that suppliers tend to build in the real costs in the prices. There are no legal tools of service companies to force the connection to the sewer system or in many cases to make consumers pay the fees. Water supply is considered as a basic need so the consumer cannot be disconnected from the water network.
- The state has decentralised the responsibilities of water management sector but as local municipalities are obliged to provide water supply, the sewage collection and treatment is less strictly required by state regulation. This fact makes persistent or sometimes more difficult to improve the utility gap situation.
- The current distribution of tasks and responsibilities is uncertain in water management sector. The reason for this is the division of 'water management' and 'environment' on national, regional and local municipality level. The

policy of the new government (elected in 1998) on the division of water management sector and the reorganisation of some sectors is uncertain upon writing this report.

- According to the international (EU) opinion the biggest deficiency of the Hungarian water quality program is the not satisfactorily developed effluent monitoring system (being more correct: the almost total lack of this). One of the pre-requisites of the accession to the EU is going to be the implementation of such a system or at least to start such a development for point source pollution. The criteria of data providing, data transfer and data accessibility should be radically changed, in harmony with the EU regulations.
- The Environmental Act declares that every municipality is obligated to prepare an environmental program and should report on the implementation annually, in harmony with the EU requirements.
- The current Hungarian system of regulations does not fulfil the requirements of cost effective way of water quality protection. It classifies six categories according to the sensitivity of the recipient water body and to the vulnerability of ground water aquifers. The effluent standards are all different. There are numerous disadvantages of this system, e.g., in category I no distinction is made between the sensitivity of the recipient water body and the vulnerability of ground water aquifers. In category III the requirements are extremely low in industrial areas where the rate of dilution is low. The system provides limited flexibility for the regulation of hazardous materials. The opportunity for applying individual standards often results in weak law enforcement.
- One of the most disadvantageous factors of the current standardisation system for released concentrations is that the charge is calculated based on concentrations not on total polluter load. Secondly, sewer fee is calculated on the basis of the volume of sewage released into the sewer system. The mentioned two factors both together and separately hamper the limitation of relative pollution released to a catchment area and the identification of the necessary technical developments.
- Based on the Hungarian water quality evaluation most Hungarian rivers' water quality is not satisfactory, or more exactly degrading. The high coliform values and high phosphorus concentration cause the lower quality and therefore belonging to a lower class. Regulation of these can be solved on a regional basis.

3. Conclusion and Outlook

As it results from the above list of problems, finding resolution is an immense challenge. It also means the protection of our environment might be ensured in a much better manner than nowadays by developing proper regulation, to contribute to the maintainable growth.

References

- [1] Water Quality Framework Directive COM (97)49 (Proposal).
- [2] COUNCIL DIRECTIVE 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control.
- [3] LÁNYI, G.: A környezet és a fejlődés európai stratégiája. European Strategy for Environment and Development (in Hungarian) *Környezet és Fejlődés* VI/1-2. pp. 4–7.
- [4] Az OECD-hez való csatlakozásból eredő környezetvédelmi feladatok. Environmental Tasks in Relation to Joining to OECD. Report to the Dept. of Environ. Strategy of KTM. Budapest University of Economics. (in Hungarian), 1996.