

# **Development of the Danube River Basin District Management Plan**

## **- Strategy for coordination in a large international river basin**

River Basin Management Expert Group

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# Development of the Danube River Basin Management Plan – Strategy for coordination in a large international river basin

## 1. Commitment to implement the Water Framework Directive

When the EU Water Framework Directive (WFD) was adopted in October 2000 it quickly became clear that the implementation of the Directive in the largest river basin in the European Union, the Danube basin, would be a tremendous challenge. The 13 countries cooperating under the Danube River Protection Convention (DRPC) decided to make all efforts to implement the WFD throughout the basin. The first step in this endeavour was to develop a strategy on how to coordinate the 18 countries sharing the basin and how to develop a joint Danube River Basin Management Plan.

The Danube River Protection Convention forms the overall legal instrument for cooperation and transboundary water management in the Danube River Basin. The main objective of the convention is the sustainable and equitable use of surface waters and groundwater and includes the conservation and restoration of ecosystems. The Contracting Parties cooperate on fundamental water management issues and take all appropriate legal, administrative and technical measures, to maintain and improve the quality of the Danube River and its environment. All Danube countries with territories > 2000 km<sup>2</sup> in the Danube River Basin are Contracting Parties to the DRPC: Austria, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Germany, Hungary, Moldova, Romania, Serbia and Montenegro, the Slovak Republic, Slovenia and Ukraine. In addition, the European Community is a Contracting Party.

To facilitate the implementation of the Danube River Protection Convention, the Danube states agreed that with its entry into force the International Commission for the Protection of the Danube River (ICPDR) is established. The ICPDR is thus the framework for basin-wide cooperation.

On December 22, 2000 the EU Water Framework Directive (WFD) came into force. The EU Member States are obliged to fulfil this directive. In order to clarify if all Danube countries would join in the efforts to implement the WFD in the Danube River Basin the president of the ICPDR wrote a letter to all the ministries responsible for water in the Danube basin in September 2000 inquiring about their willingness to implement the WFD. In response, all countries cooperating under the DRPC stated their firm political commitment to support the implementation of the WFD in their countries and to cooperate in the framework of the ICPDR to achieve a single, basin-wide coordinated Danube River Basin Management Plan.

Consequently, the ICPDR made the following resolutions at its 3<sup>rd</sup> Plenary Session on November 27-28, 2000 in Sofia:

- “The implementation of the EC Water Framework Directive is considered as being the highest priority for the ICPDR.
- The ICPDR will provide the platform for the coordination necessary to develop and establish the River Basin Management Plan for the Danube River Basin.
- The Contracting Parties ensure to make all efforts to arrive at a coordinated international River Basin Management Plan for the Danube River Basin.

- The draft work plan presented by the ad-hoc [River Basin Management] Expert Group will form the basis to organise the implementation of the Water Framework Directive within the ICPDR until 2004. The Contracting Parties declare their willingness to carry out all the necessary steps identified in the work plan to ensure the necessary coordination within the Danube Basin.
- The Contracting Parties welcome an active involvement in the implementation process of the EC Water Framework Directive, as planned by the European Commission and the EU Member States. The European Commission is asked to ensure the necessary involvement of participants from Danubian States in that working process.”

The River Basin Management Expert Group (RBM EG) was created to prepare and coordinate the necessary actions for the implementation of the WFD. In response to the resolutions of the ICPDR the RBM EG developed a strategy how to coordinate the 18 countries concerned, how to develop a coordinated river basin management plan and how to report to the European Commission. This paper summarises the strategy which was initially adopted by the ICPDR in May 2002. The paper has been updated in 2005 to reflect the more detailed agreements on the preparation of reports to Brussels as well as on the preparation of the RBM Plan. Chapter 7 of this paper will be further developed as a separate paper. It will be the road map for the development of the Danube River Basin Management Plan containing a detailed work plan until March 2010 when the RBM Plan needs to be reported to the European Commission.

## **2. The challenges of the Water Framework Directive**

The Water Framework Directive brings major changes in water management practices. Most importantly, it:

- sets uniform standards in water policy throughout the European Union and integrates different policy areas involving water issues,
- introduces the river basin approach for the development of integrated and coordinated river basin management plans for all European river systems,
- includes public participation in the development of river basin management plans encouraging active involvement of interested parties including stakeholders, non-governmental organisations and citizens,
- stipulates a defined time-frame for the achievement of the good status of surface water and groundwater,
- requests a comprehensive ecological assessment and classification on the basis of the composition and abundance of the aquatic fauna and flora taking into account the type-specific reference conditions of the water body,
- includes the definition of lower environmental objectives for heavily modified water bodies,
- introduces the economic analysis of water use in order to estimate the most cost-effective combination of measures in respect to water uses.

The EU treaty contains penalties in case the provisions of the EU-Directives are not fulfilled. Therefore, it is mandatory to adhere to the provisions of the WFD including the demanding time schedule.

## **3. The special situation in the Danube River Basin**

The Danube River Basin is the second largest river basin of Europe, covering 801,463 km<sup>2</sup> and territories of 18 countries. Those 13 countries with territories greater than 2.000 km<sup>2</sup> within the Danube River Basin are joined in the framework of the ICPDR.

What makes the implementation process in the Danube River Basin a particular challenge is the fact that currently, not all countries are EU Members and therefore obliged to fulfil the WFD (**Table 1**). Several Danube countries are in accession and are preparing to fulfil the complete body of EU

legislation in order to become EU Members. Others have not stated their intent to join the EU. Yet, a number of the Non-EU countries are implementing the WFD in their countries nonetheless.

The Danube River Basin shows a number of particularities in comparison with other European river basins not only due to its size and the large number of countries but also due to its diverse landscapes and the major socio-economic differences. Regional differences in climate and landscape lead to differences in precipitation and discharge in the streams, some countries being rich in freshwater and others suffering from poor water resources. The socio-economic development varies tremendously between the upstream and downstream countries. The percentage of population connected to public water supply as well as to sewage disposal shows great differences and the degree of technical development of wastewater treatment shows very different standards. The Danube is the major tributary to the Black Sea and contributes significantly to the eutrophication of the Black Sea.

In view of these large differences in the basin it was necessary to develop a realistic perspective of how to develop the Danube River Basin Management Plan and how to do this most efficiently.

**Table 1** States in the Danube River Basin District

State	ISO-Code	Status in the European Union
Albania	AL	-
Austria	AT	Member State
Bosnia i Herzegovina	BA	-
Bulgaria	BG	Accession Country
Croatia	HR	Accession Country
Czech Republic	CZ	Member State
Germany	DE	Member State
Hungary	HU	Member State
Italy	IT	Member State
Former Yugoslav Republic of Macedonia	MK	-
Moldova	MD	-
Poland	PL	Member State
Romania	RO	Accession Country
Serbia and Montenegro	CS	-
Slovak Republic	SK	Member State
Slovenia	SI	Member State
Switzerland	CH	-
Ukraine	UA	-

The WFD is part of the 'acquis communautaire' and is therefore legally binding for all EU Member States and EU Accession countries. By the time the deadline for the completion of the River Basin Management Plan is reached in December 2009 probably two more Danube countries, Bulgaria and Romania, will have become EU Members. Croatia has officially become an Accession Country in April 2004 and will begin its accession negotiations in the near future. Although the Accession Countries have no reporting obligations until they become EU-Member States, they are cooperating in the framework of the ICPDR to implement the necessary steps. The same is true for the other Non-EU States.

## 4. Coordination in the Danube River Basin

### 4.1. Competent authority

The Water Framework Directive contains obligations for Member States to coordinate administrative arrangements within river basin districts.

According to Art. 3.2 WFD:

*“Member States shall ensure the appropriate administrative arrangements, including the identification of the appropriate competent authority, for the application of the rules of this Directive within each river basin district lying within their territory.”*

All Danube countries have identified their competent authorities and reported these to the European Commission (see: Roof Report on Art. 3 WFD or the Danube Basin Analysis Report (WFD Roof Report 2004))<sup>1</sup>.

### 4.2. International coordination

For international river basin districts lying within the European Community Art 3.4 WFD stipulates:

*“Member States shall ensure that the requirements of this Directive for the achievement of the environmental objectives established under Article 4, and in particular all programmes of measures are coordinated for the whole of the river basin district.”*

Where a river basin district extends beyond the territory of the Community, Art. 3.5 WFD states:

*“the Member State or Member States concerned shall endeavour to establish appropriate coordination with the relevant non-Member States, with the aim of achieving the objectives of this Directive throughout the river basin district.”*

The Danube River Basin corresponds to Art. 13.3. It is an international river basin extending beyond the boundaries of the European Community. In November 2000 the ICPDR decided that “the ICPDR will provide the platform for the coordination necessary to develop and establish the River Basin Management Plan for the Danube River Basin.” The ICPDR has installed the River Basin Management Expert Group to prepare and coordinate the necessary measures for basin-wide implementation of the WFD.

According to Art. 3.8 WFD:

*“Member States shall provide the Commission with a list of their competent authorities and of the competent authorities of all the international bodies in which they participate ... .”*

The ICPDR functions as the coordinating platform but not as the competent, i.e. responsible authority versus the European Commission. The competent authorities have been identified by the Danube countries.

### 4.3. Coordination mechanisms

Coordination is required in order to fulfil “the environmental objectives established under Article 4, and in particular for all programmes of measures” (Art. 3.4) concerning the whole river basin district. In Art. 13 coordination is also stipulated for the development of the river basin management plan. Depending if the river basin lies completely on the territory of the Member State or if it is shared with other Member States or non-Member States, Art. 13 differentiates in how far a river basin management plan needs to be coordinated.

According to Art. 13.1 the

*“Member States shall ensure that a river basin management plan is produced for each river basin district lying entirely within their territory.”*

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<sup>1</sup> <http://www.icpdr.org>

According to Art. 13.2:

*“In the case of an international river basin district falling entirely within the Community, Member States shall ensure coordination with the aim of producing a single international river basin management plan.*

*Where such an international river basin management plan is not produced, Member States shall produce river basin management plans covering at least those parts of the international river basin district falling within their territory to achieve the objectives of this Directive.”*

According to Art. 13.3:

*“In the case of an international river basin district extending beyond the boundaries of the Community, Member States shall endeavour to produce a single river basin management plan, and, where this is not possible, the plan shall at least cover the portion of the international river basin district lying within the territory of the Member State concerned.”*

For the Danube River Basin the ICPDR serves as the platform for coordination. Depending on the issue at hand different levels of coordination should be distinguished. Measures with a clear transboundary impact need to be dealt with on the bilateral/multilateral or Danube River Basin level; e.g. the effects of the Baia Mare accident have been dealt with in the framework of the ICPDR. Measures with only local or regional effects e.g. building of fish farms or small industries can be solved on the national level or within bilateral agreements.

Generally, coordination should take place at the lowest level possible so that the necessary coordination on the international level can be limited to the absolutely necessary.

Three levels of coordination have been defined:

<b>Level</b>	<b>Coordinating body/ competent authority</b>	<b>Amount of coordination</b>
1) Danube river basin level	ICPDR is coordinating body, not competent authority	limit to the absolutely necessary (issues relevant on the basin- wide scale)
2) Bilateral/multilateral level	respective countries, e.g. in the frame of bilateral/multilateral agreements	a lot (transboundary effects with mainly bilateral or sub-basin relevance)
3) National level	designated authorities	a lot (for all issues regarding implementation)

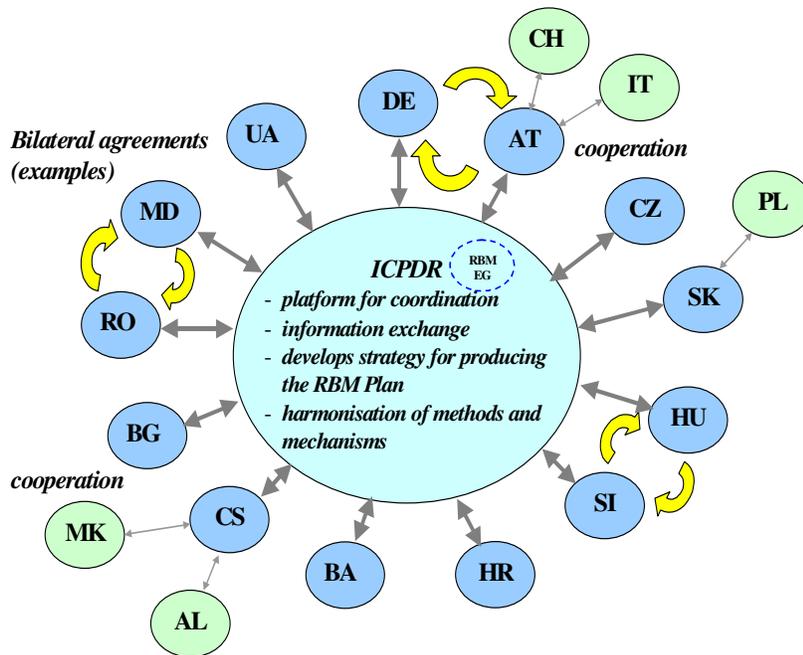
Level 1: The ICPDR forms the framework for coordination and serves as a facilitator in the implementation process. The RBM EG has developed the strategy for the development of the Danube River Basin District Management Plan outlined here. With respect to the River Basin Management Plan the RBM EG agrees which issues are of basin-wide relevance and what information should be contained in the reports.

Level 2: Bilateral/multilateral agreements between Danubian States should be utilised as much as possible for transboundary issues, especially for day-by-day coordination. It should be considered if existing bilateral/ multilateral agreements should be amended to be in line with the requirements of the Water Framework Directive, since they are often restricted to specific issues or only cover border issues and not problems of the whole river basin. In the Sava River Basin the Sava River Basin Convention was signed on 3 December 2002 between Bosnia-Herzegovina, Croatia, Serbia and Montenegro and Slovenia for cooperation on water management and navigation. In the Tisza River

Basin a Memorandum of Understanding was signed on 13 December 2005 between Hungary, Romania, Serbia and Montenegro, Slovak Republic and Ukraine to secure coordination for river basin management.

In some places the boundaries of the Danube River Basin District extend beyond the national borders of the countries cooperating under the DRPC, e.g. into Italy or Poland (see Map 1). The ICPDR agreed that it would be the responsibility of the those countries to find an appropriate form of coordination with the relevant neighbours (see **Figure 1**).

Level 3: The national level is the major working level. All issues regarding implementation need to be discussed, coordinated and implemented here. Major areas of work are the transposition of the WFD into national legislation, the analyses according to Article 5 WFD on the river basin characteristics, the pressure and impact analysis as well as the economic analysis. The ultimate goal is the preparation of the river basin management plan with the programme of measures as the core element. The competent authority is responsible for coordination at the national and the international level.



**Figure 1** Coordination mechanisms in the Danube River Basin

#### 4.4. Settlement of disputes

As far as possible, problems should be solved at the bilateral/multilateral level. If countries cannot agree on matters related to implementation of WFD, there are two possibilities for settling disputes.

1. EU-Member States may make use of Article 12 WFD on “issues, which can not be dealt with at Member State level”.
2. All Contracting Parties of the Convention can refer to Article 24 DRPC which deals with the settlement of disputes.

## 5. Development of the river basin management plan

### 5.1. Tasks and time line

The development of the river basin management plan consists of four phases (**Figure 2**). Most of these phases run in parallel in order to ensure the timely completion and publication of the Danube River Basin District Management Plan. In developing and harmonising methodologies and approaches the EU Guidance Documents developed by European Commission in the frame of the Common Implementation Strategy are taken into account and supplemented by guidance for special issues (e.g. the economic analysis).

#### **PHASE I: Definition of river basin districts, definition of the institutional frame and mechanisms for coordination (until 2003)**

In this phase it was important to clarify organisational issues and to agree on methodologies, e.g.

- agreement on the coordination mechanisms,
- definition of the Danube River Basin District,
- agreement on maps and scales,
- agreement on mechanisms for data exchange,
- reporting formats.

Phase I has been successfully completed with the preparation and delivery of the report on Art. 3 WFD on the identification of the competent authorities in June 2004 (see also Chapter 8.2 on reporting).

#### **PHASE II: Analyses of river basin characteristics, pressures and impacts and the economic analysis, establishment of the register of protected areas (until 2004)**

Phase II ran more or less parallel to phase I. Most of the tasks were carried out on the national level. One of the major issues for coordination was to agree on common criteria and methodologies in order to achieve comparable results in the basin. This included agreements on

- the amount of detail in the analysis of river basin characteristics,
  - the criteria for the designation of significant pressures and impacts,
  - suitable indicators for the economic analysis of water uses,
- as well as exchange of information on
- the typology of surface waters and reference conditions.

Phase II has been successfully completed with the adoption of the Danube Basin Analysis Report (relating to Art. 5 and 6 WFD) at the Danube Ministerial Meeting in December 2004. After final amendments the report was sent to Brussels in March 2005 (see also Chapter 8.2 on reporting).

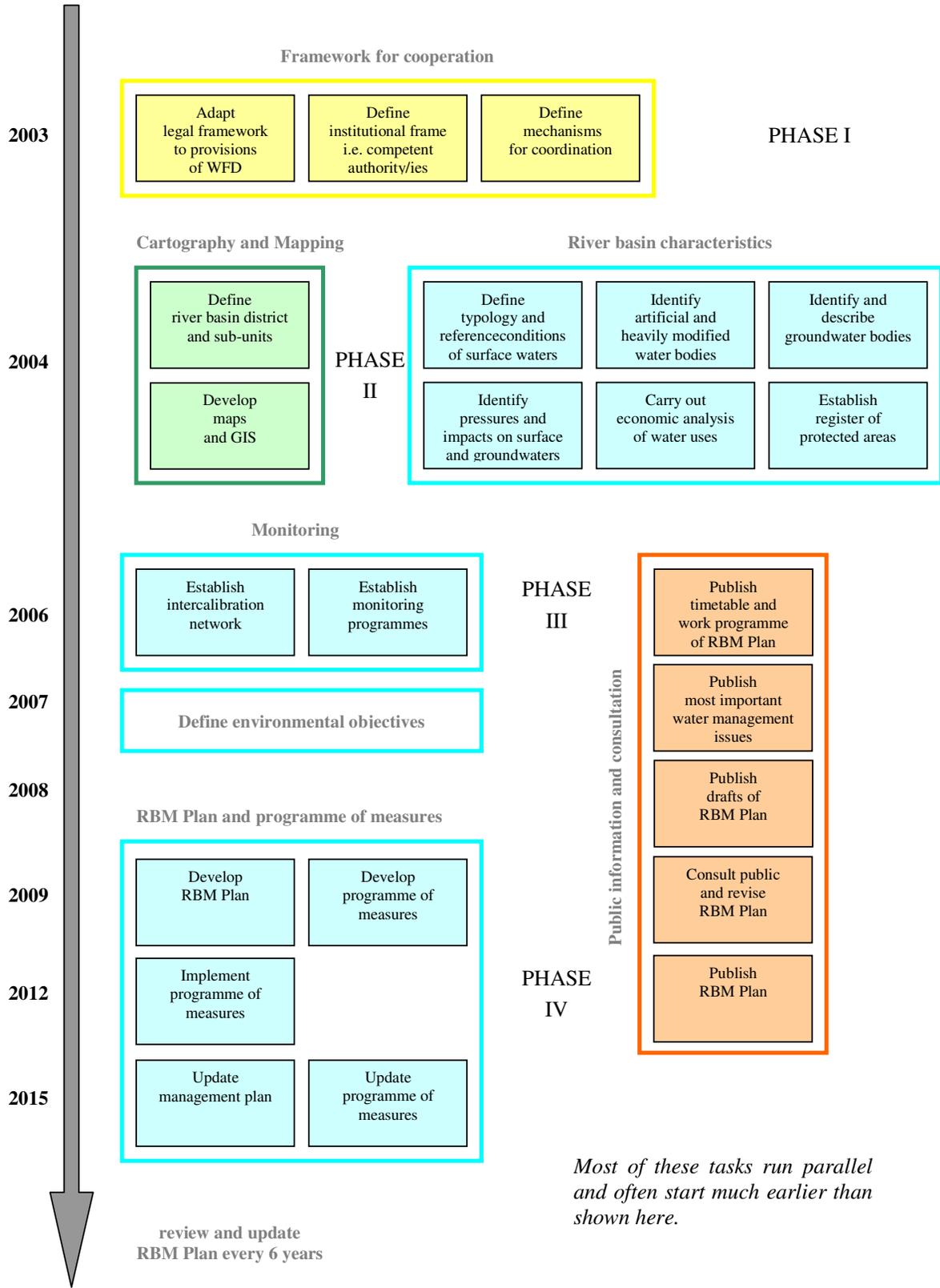
#### **PHASE III: Development of monitoring networks and programmes (until 2006)**

The monitoring networks and programmes need to be based on the results of the analysis (Art. 5 WFD) in particular on the results of the risk of failure to meet the environmental objectives.

Monitoring networks and programmes need to be designed

- for surveillance monitoring, including the definition of the necessary hydromorphological, chemical and biological parameters,
- for operational monitoring, including the choice of the necessary quality components, and
- for cases for investigative monitoring.

The monitoring programmes for the basin-wide overview will be established in the frame of the Transnational Monitoring Network (TNMN), the monitoring network of the ICPDR. The existing monitoring programmes will be adapted to fulfil the requirements of the WFD. Most of the tasks for the operational and investigative monitoring will be carried out on the national or sub-unit level.



**Figure 2 Implementation of the Water Framework Directive**

#### **PHASE IV: Development of the Danube River Basin Management Plan incl. the programme of measures and public participation (until 2009)**

Based on the results of the analysis carried out in phases I and II, in particular the results of the risk of failure assessment, and on the monitoring results of the ecological and chemical status of the water bodies in phase III the Danube River Basin Management Plan needs to be developed. Firstly, the environmental objectives need to be defined for those water bodies that did not reach the good status. The objectives of the Joint Action Programme of the ICPDR and the aims and goals of the Danube Declaration signed in December 2004 form an important basis for their elaboration. From there, the programme of measures needs to be developed based on an economic cost-effectiveness analysis. Public information and consultation is required on the development and revision of the RBM Plan. The process includes several steps and begins as early as 2006 with the publication of the timetable and work programme of the RBM Plan. The ICPDR has developed a strategy on public participation in the Danube River Basin and has held its first Stakeholder Conference on 28-29 June 2005.

#### **5.2. Coordination of activities**

In terms of coordination the development of the Danube River Basin Management Plan must be viewed from a different perspective. **Figure 3** shows the necessary coordination steps in the development of the Danube River Basin Management Plan. The ICPDR charged the River Basin Management Expert Group with this task. A number of **coordinative elements and tools** were introduced to ensure the necessary coordination and to facilitate the implementation.

##### **1) Strategic paper for the development of a Danube River Basin District Management Plan**

At the outset it was important to develop a strategy for the coordination process. The Strategic Paper deals with most issues identified in Phase I of the river basin management plan, i.e.

- the definition of the Danube River Basin District and its sub-units (see chapter 6),
- the coordination mechanisms (see chapter 4.3),
- outline of the river basin management plan (see chapter 7),
- reporting to the European Commission (see chapter 8).

An earlier version of this paper was approved by the ICPDR Ordinary Meeting in June 2002. The paper was revised and extended in 2005 to cover additional issues related to the preparation of the river basin management plan and to reporting.

##### **2) Work plan**

The River Basin Management Expert Group developed a work plan for producing the Danube River Basin District Management Plan. Therein, the main tasks for 2001 to 2004 were identified for the preparation of the reports on Art. 3 (identification of competent authorities) and on Art. 5 (analysis of the river basin district), i.e. those tasks relating to Phase I and II.

Currently, a road map is under preparation for the development of the Danube River Basin Management Plan (Phase III and IV). This road map identifies the milestones and major implementation steps to accomplish the tasks required by the Directive by March 2010 (reporting deadline for the RBM Plan). Chapter 7 contains details on the approach for the development of the DRBMP. The basic concept described in this chapter will be further developed in the road map which is the tool for outlining and implementing the necessary steps.

##### **3) Support from expert groups**

In order to concentrate efforts on certain targets the RBM EG asked other expert groups to take on tasks related to their work areas. The MLIM EG and the EMIS EG have taken over certain tasks e.g. related to typology and the definition of reference conditions. The ECO EG prepared an issue paper on the role of wetlands in the Danube River Basin. A GIS expert sub-group was created for the development of a Danube GIS and thematic mapping. Furthermore, small drafting groups were initiated to develop issue papers (“drafts”) within a short time, e.g. the drafting group ‘Strategic Paper’ developed the present paper.

#### 4) Issue papers

Issue papers deal with issues that need special attention in the Danube river basin, that require harmonisation of methods to ensure comparability of results and that need to be dealt with in the Roof part of the river basin management plan. Issue papers are based on the relevant EU Guidance Documents developed by the European Commission in the frame of the Common Implementation Strategy (CIS). Issue papers played an important role in Phase II and later on in the public participation process of Phase IV. They were developed by small drafting groups or expert bodies of the ICPDR. A close exchange of information with the CIS working groups was ensured through a Danube member of the relevant EU working group.

Some of the special topics were

- the economic analysis of water uses and the cost-effectiveness of measures,
- public information and consultation,
- identification of pressures and impacts with transboundary effects,
- typology and the definition of reference conditions of surface water bodies,
- identification of artificial and heavily modified water bodies.

#### 5) Questionnaires and templates

Questionnaires were used to achieve an overview on special issues that require detailed technical knowledge. E.g. for the establishment of a Danube GIS it was necessary to collect detailed information on the GI systems in use in the Danube countries and on the availability of the data, i.e. it included legal aspects such as ownership of data.

Another important tool was the use of templates for the preparation of the roof reports. Templates were used to collect data from the Danube countries in a unique format to allow analysis of these data at the basin-wide level. Templates were prepared e.g. for the delineation of water bodies and the assessment of the risk of failure or for the identification and characterisation of groundwater bodies. Also the inventory of protected areas for species and habitat protection was prepared in this way.

#### 6) Workshops

Workshops are used for training and information exchange. They deal with technical issues especially where harmonisation of methods is required to ensure comparability of results. They are mainly relevant in Phase II and IV. A number of workshops have been carried out on special topics of surface waters (typology and reference conditions, classification, heavily modified water bodies, the role of nutrients) and groundwater (identification and monitoring). In addition, special training workshops have held on WFD implementation in non-EU-countries.

#### 7) Financial support from projects

The implementation of the Water Framework Directive is a great challenge for all Danube countries. Financial constraints and the tight timeframe can cause problems, especially for the downstream countries. Projects have been initiated to support WFD implementation in Non-EU-Member States:

- the UNDP/GEF Danube Regional Project,
- the EU/ISPA pilot river basin projects
- PHARE/Twinning projects or other bilateral cooperations.

The UNDP/GEF Danube Regional Project (2001-2007) has provided targeted support for specific issues of WFD implementation including the preparation of the Danube Basin Analysis Report on Art. 5 WFD and the related thematic maps, but also for the development of the Danube GIS and for measures on public participation.

#### 8) National Reports

The Danube countries report regularly to the ICPDR on the progress of WFD implementation in their countries. Depending on the phase of implementation different topics become relevant. The reports are presented to the Plenary Session, where the ICPDR takes further decisions as necessary.

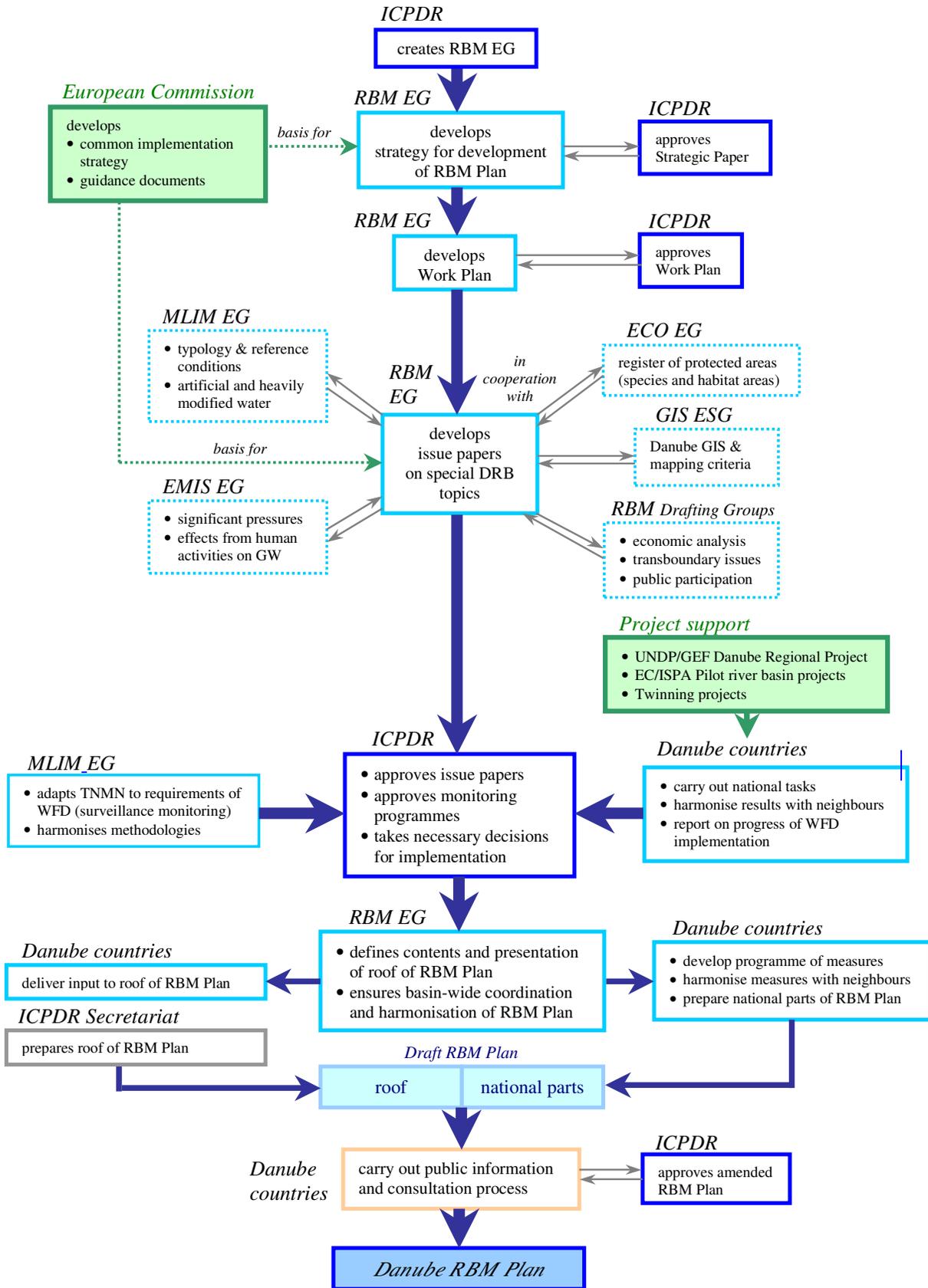


Figure 3 Strategy for the development of the Danube River Basin Management Plan

### 5.3. Timetable for implementation

**Table 2** contains an overview of the deadlines for implementation of the Water Framework Directive. Deadlines on reporting are mentioned in **Table 5**.

**Table 2 Timetable for implementation of WFD (from LAWA Guidebook – 28.11.2001)**

	Article in WFD	Deadlines
<b>Legal implementation</b>		
- Adopting statutory provisions	24	Dec. 2003
- Identification of the competent authority	3 (7)	Dec. 2003
- Notifying the EC of competent authorities	3 (8)	June 2004
<b>Status review</b>		
- Analysis of characteristics of a river basin district	5 (1)	Dec. 2004
- Register of areas requiring protection	6 (1)	Dec. 2004
- Reviewing and assessing significant pressures and impacts	5 (1)	Dec. 2004
- Economic analysis of water use	5 (1)	Dec. 2004
- Updating of reviews and analyses	5 (2)	Dec. 2013/Dec. 2019
<b>EC regulation of groundwater</b>		
- Adoption of measures to protect groundwater by EC	17 (1)	Dec. 2002
- Criteria for chemical status and trend reversal by EC	17 (2)	Dec. 2002
- Criteria on a national basis (if necessary)	17 (4)	Dec. 2005
<b>Monitoring programmes</b>		
- Setting up networks and putting them into operation	8	Dec. 2006
<b>Public information and consultation</b>		
- Publication of a timetable and work programme <sup>2</sup>	14 (1a)	Dec. 2006
- Publication of the most important water management issue <sup>2</sup>	14 (1b)	Dec. 2007
- Publication of drafts of the management plan <sup>2</sup>	14 (1c)	Dec. 2008
<b>Management plan and programme of measures</b>		
- Drawing up and publishing the management plan	13 (6)	Dec. 2009
- Drawing up a programme of measures	11 (7)	Dec. 2009
- Implementing the measures	11 (7)	Dec. 2012
- Updating the management plan	13 (7)	Dec. 2015
- Updating the programme of measures	11 (8)	Dec. 2015
<b>Achieving objectives</b>		
- Good surface water status	4 (1a)	Dec. 2015
- Good groundwater status	4 (1b)	Dec. 2015
- Compliance with objectives for protected areas	4 (1c)	Dec. 2015
- Extension of deadlines to meet objectives	4 (4)	Dec. 2021/2027
<b>Lists of priority substances</b>		
- Proposal of limit values for substance exports and imports	16 (8)	Oct./Nov. 2003
- Updating of the priority substances list	16 (4)	Dec. 2004
- Phasing out discharges of priority hazardous substances	16 (6)	20 years <sup>3</sup>
<b>Recovering the costs of water services</b>		
	9 (1)	2010

<sup>2</sup> every six years

<sup>3</sup> after proposals on the implementation of the requirements for priority hazardous substances have been adopted

## 6. Definition of the Danube River Basin District

*The objective of achieving good water status should be pursued for each river basin, so that measures in respect of surface water and groundwaters belonging to the same ecological, hydrological and hydrogeological system are coordinated (Preamble no. 33, WFD).*

According to Art. 3.1 WFD:

*“Member States shall identify the individual river basins lying within their national territory and, for the purposes of this Directive, shall assign them to individual river basin districts. Small river basins may be combined with larger river basins or joined with neighbouring small basins to form individual river basin districts where appropriate. Where groundwaters do not fully follow a particular river basin, they shall be identified and assigned to the nearest or most appropriate river basin district. Coastal waters shall be identified and assigned to the nearest or most appropriate river basin district or districts.”*

According to Article 3.3 of the WFD “Member States shall ensure that a river basin covering the territory of more than one Member State is assigned to an international river basin district”. Where a river basin district extends beyond the territory of the Community, the WFD requests the Member State or Member States concerned to „endeavour to establish appropriate coordination with the relevant non-Member States, with the aim of achieving the objectives of this Directive throughout the river basin district.” (Art. 3.5 WFD). The main objective of WFD implementation is the development of a Danube River Basin Management Plan.

### **River basin (according to Art. 2, 13. WFD)**

*“means the area of land from which all surface run-off flows through a sequence of streams, rivers and, possibly, lakes into the sea at a single river mouth, estuary or delta.”*

### **River basin district (according to Art. 2, 15. WFD)**

*“means the area of land and sea, made up of one or more neighbouring river basins together with their associated groundwaters and coastal waters, which is identified under Article 3(1) as the main unit for management of river basins.”*

The Danube River Basin District covers an area of about 823,334 km<sup>2</sup> and includes the Danube River Basin itself as well as the coastal areas in the Black Sea, which are influenced by the Danube River. Romania has included the coastal waters along the full length of its coastline. Ukraine has included a very small part of its coastal waters. Bulgaria has not included its coastal waters, since they are part of another district (see **Table 3**). **Map 1** shows the geographical coverage of the Danube River Basin District.

**Table 3** Area of the Danube River Basin District

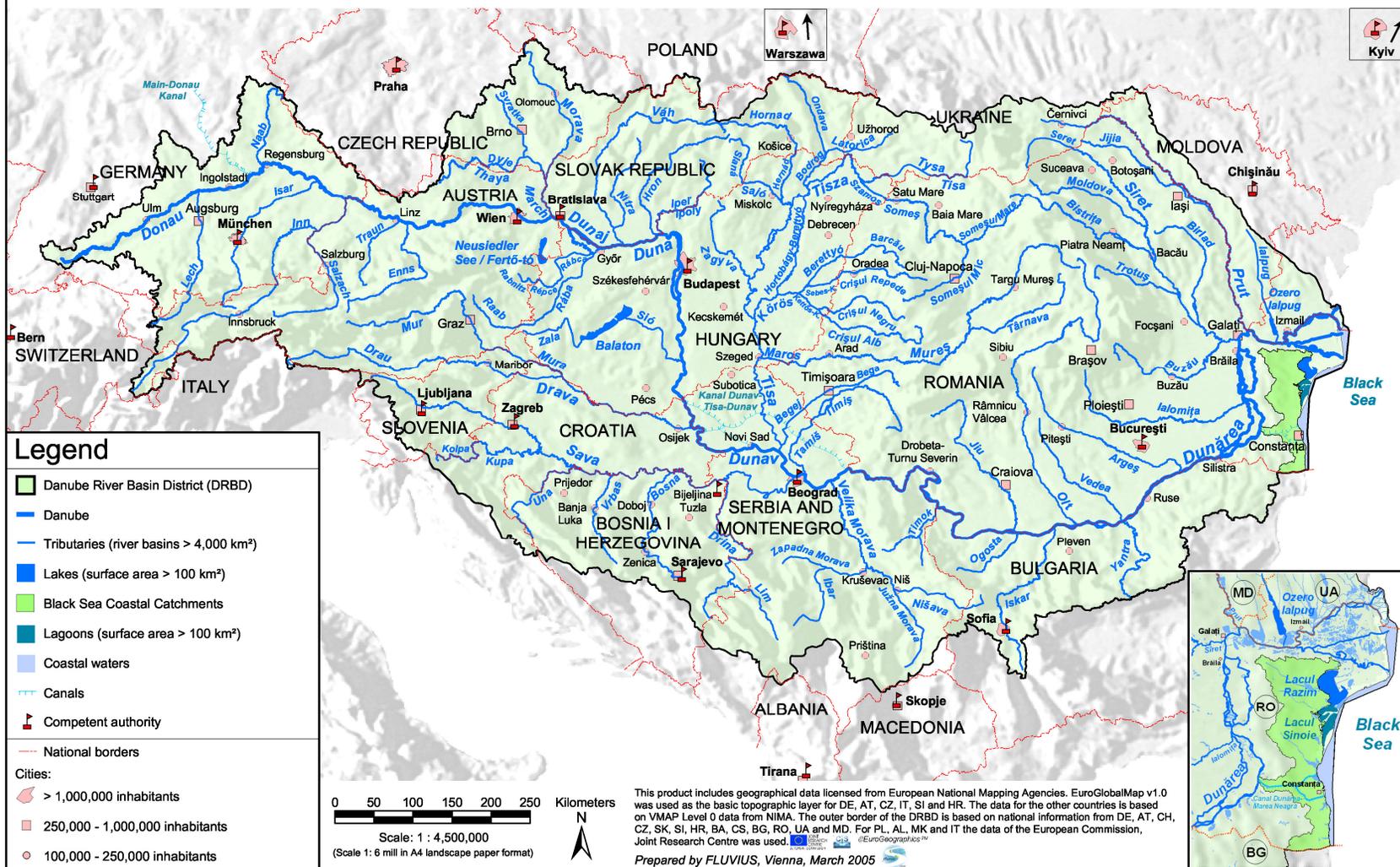
	<b>Territory</b>	<b>Official area [km<sup>2</sup>]</b>	<b>Digitally determined area [km<sup>2</sup>]<sup>1</sup></b>
Danube River Basin (DRB)	18 countries		801,463
Black Sea coastal river basins	Romania	5,198	5,122
Black Sea coastal waters	Romania and Ukraine		1,242
Danube River Basin District (DRBD)			807,827

<sup>1</sup> For the purpose of comparison the areas were calculated using GIS on the basis of the DRBD overview map. The value for the Black Sea coastal river basins differs slightly from the official data, since other methods of calculation have been used.

# Danube River Basin District Map 1: Overview

Product of:  
ICPDR (International  
Commission for the  
Protection of the  
Danube River), Vienna

**icpdr iksd**  
International  
Commission  
for the Protection  
of the Danube  
River



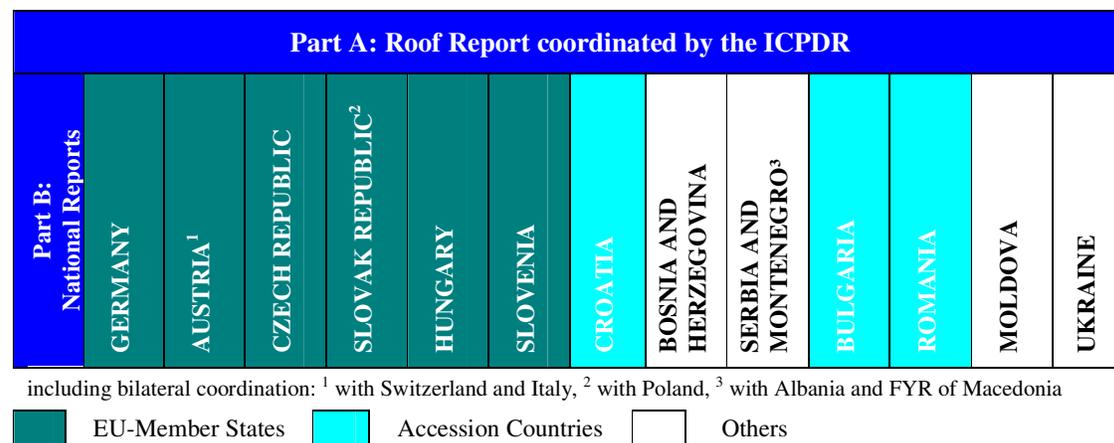
## 7. Structure of the River Basin Management Plan

The river basin management plan should be structured so that the plan can be studied on the sub-unit, the national and the Danube River Basin District level. For this purpose a modular approach was chosen. An introduction should introduce the reader to general issues of the Danube River Basin District, give an overview of the river basin characteristics, the pressures and impacts, in particular those of transboundary nature, the programme of measures and the public information and consultation process.

### 7.1. Structure of the reports on Art. 3 and Art. 5 WFD

Due to the large number of states and the coordination requirements in the DRBD the reports to the European Commission on Art. 3 and on Art. 5 WFD have been divided into two parts. Part A (Roof Report) gives the basin-wide overview; Part B (National Reports) gives all relevant further information on the national level as well as information coordinated on the bilateral level (**Figure 4**).

Each EU Member State has sent the Roof Report (Part A) together with its own National Report (Part B) to the European Commission. In addition, the ICPDR has sent the following reports to the European Commission for information: a copy of the Roof Report and a copy of the National Reports (Part B) of those countries, which are (currently) not obligated to report to the European Commission (Bosnia and Herzegovina, Bulgaria, Croatia, Moldova, Romania, Serbia and Montenegro, and Ukraine).



**Figure 4** Structure of the report for the Danube River Basin District<sup>4</sup>

### Part A – Roof Report

The Roof Report gives the basin-wide overview on issues requiring reporting under WFD. It provides information on the main surface waters and the important transboundary groundwaters.

The following surface waters have been selected for the basin-wide overview and are therefore dealt with in the Roof report (see **Map 1**):

- all rivers with a catchment size of > 4 000 km<sup>2</sup>
- all lakes and lagoons with an area of > 100 km<sup>2</sup>
- the main canals
- transitional and coastal waters.

<sup>4</sup> This figure reflects the situation at the time of reporting (March 2005).

Groundwaters are generally of local or regional importance and are described in detail in the national reports. The Roof report gives an overview for important transboundary groundwater bodies according to the following criteria:

- all transboundary groundwater bodies > 4000 km<sup>2</sup>,
- transboundary groundwater bodies < 4000 km<sup>2</sup>, if they are very important; the identification as important has to be bilaterally agreed. The agreement must include the criteria for the importance, e.g. socio-economic importance, groundwater use, impacts, pressures, interaction with aquatic eco-systems.

The Roof Report includes, in particular, an overview of the main pressures in the DRBD and the related impacts exerted on the environment. The overview includes effects on the coastal waters of the Black Sea as far as they are part of the DRBD, since their status could be a reason for designating the whole DRBD as a sensitive area.

The contents of the Roof Report results from the work of the ICPDR expert groups and has been approved by the ICPDR. The issues referred to in the basin-wide overview will be the basis for the preparation of the Danube River Basin Management Plan by the end of 2009.

The Roof Report gives an overview of the situation in the Danube river basin district as a whole and sets the frame for the understanding of the detailed National Reports. The Roof Report is therefore comparatively brief. Detailed information is given in the National Reports.

## Part B – National Reports

The National Reports give all relevant further information on the national level as well as information coordinated on the bilateral level. Transboundary issues not covered by the ICPDR are solved at the appropriate level of cooperation e.g. in the frame of bilateral/multilateral river commissions or agreements (e.g. Tisza MoU). The national information is given in addition to the information in Part A.

### 7.2. The role of sub-basins and sub-units in the river basin management plan

#### Sub-basin (according to Art. 2, 14. WFD)

*“means the area of land from which all surface run-off flows through a series of streams, rivers and, possibly, lakes to a particular point in a water course (normally a lake or a river confluence).”*

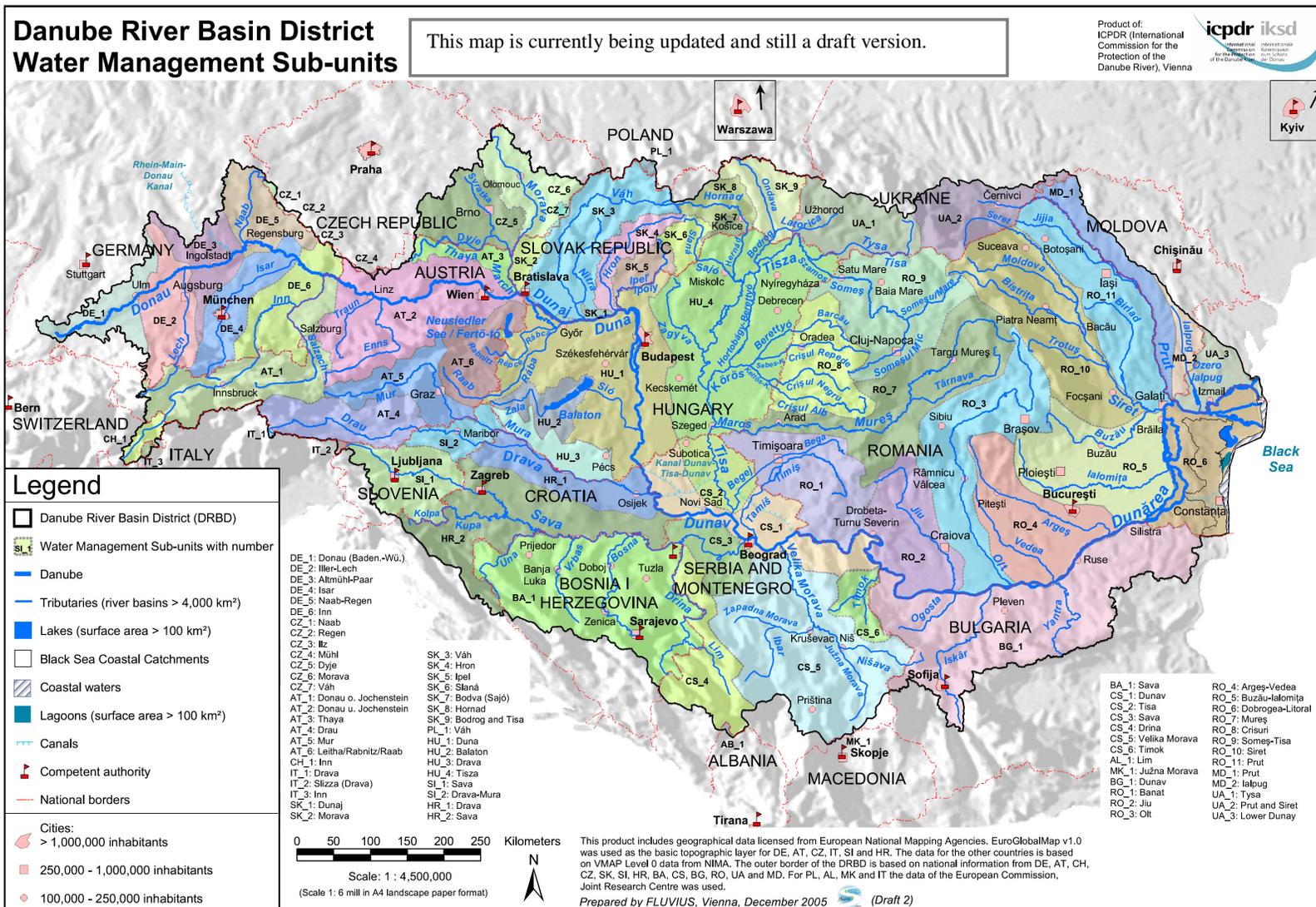
Most sub-basins in the Danube river basin cover the territories of several countries, since the hydrographical boundaries of sub-basins generally do not correspond to national or administrative borders. Furthermore, some sub-basins are very large and therefore entail a great deal of coordination for the development of the river basin management plan. In order to facilitate the management of data for the presentation of results in national and bilateral coordination processes, so-called "sub-units" are introduced as manageable units.

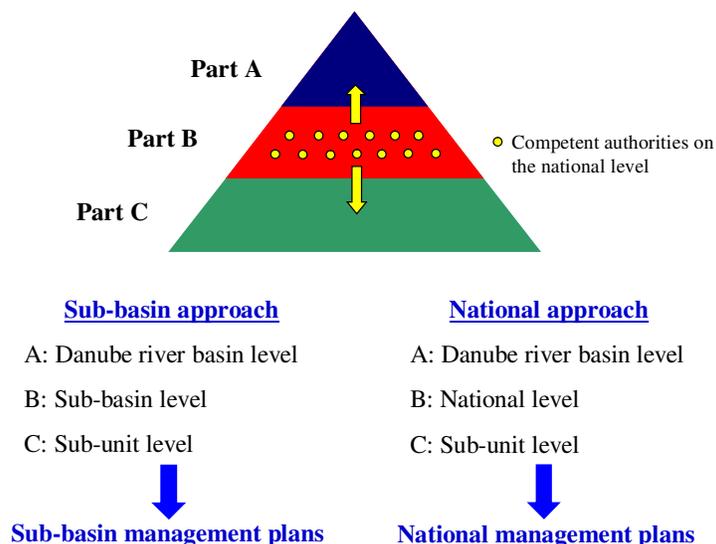
#### Sub-unit (defined in this paper for the use in the Danube River Basin District)

*“means an area located on national territory consisting of*

- a) a sub-basin,
- b) a part of a sub-basin,
- c) a group of sub-basins, or
- d) a group of parts of sub-basins”.

There has been an agreement between the Danube countries to use the sub-unit as the basic unit to prepare the DRBMP (see **Map 2**). These sub-units have been harmonised with those used in the ICPDR Flood Action Programme. The sub-basins are shown in one colour, e.g. green for the Tisza River Basin, the sub-units within the basin are shown in different shades of green. Groundwater bodies correspond with the borders of the sub-units.





**Figure 5 Two basic approaches for structuring the river basin management plan**

The Danube River Basin Management Plan will consist of three parts with Part A being the roof level and the level of detail increasing from Part A down to Part C (see **Figure 5**). All three parts have a common structure. The competent authorities jointly coordinate Part A. Part C is coordinated by the competent authorities on the national level.

The crucial question is: What is Part B? There are basically two possibilities. Part B can be the sub-basin – this is an interesting option particularly for larger transboundary sub-basins – or Part B can be the national level thereby making full use of the sub-unit which is based on the hydrographic boundaries and national borders. In the latter case, countries can largely coordinate WFD implementation on the national level, but must coordinate and report any transboundary issues on the bilateral level. Where appropriate this coordination can also take place on the basin wide level. Where trilateral or sub-basin agreements exist, the coordination at this level must also be included in the national reports which may not always be appropriate (e.g. in the case of large sub-basins). In both cases the information on Part C (sub-units) is an integral part of the national plans or sub-basin plans (Part B).

It is up to the country to decide which approach it wants to take. For the following sub-basins the countries concerned have agreed to prepare coordinated sub-basin management plans:

<b>Sub-basin</b>	<b>Coordination platform</b>
<ul style="list-style-type: none"> <li>• Tisza River Basin (SK, UA, RO, HU and CS)</li> </ul>	Tisza MoU
<ul style="list-style-type: none"> <li>• Sava River Basin (SI, HR, BA and CS)</li> </ul>	Sava River Basin Commission
<ul style="list-style-type: none"> <li>• Prut River Basin (RO, MD and UA)</li> </ul>	Trilateral cooperation
<ul style="list-style-type: none"> <li>• Danube Delta (RO and UA)</li> </ul>	Bilateral cooperation

All national management plans and all sub-basin management plans of the planned Danube River Basin District will be listed in Chapter 8 of the DRBMP, in the register of more detailed programmes and management plans (see outline below).

The Danube River Basin Management Plan will be the Joint Programme of Measures of the ICPDR.

### 7.3. Basic outline of the Danube River Basin Management Plan (Art. 13 WFD)

The outline of the Danube River Basin Management Plan will follow that given in Annex VII WFD, called the “*Elements of the river basin management plan*”. This approach allows countries sharing several international river basins to follow the same outline in all their river basins. The Danube River Basin Management Plan will contain only a summary of these elements giving information relevant at the basin-wide level. A list of more detailed management plans will be given within the plan in Chapter 8 (see Table 4).

**Table 4** shows the basic outline for the Danube River Basin Management Plan on the basin-wide level (Part A) and indicates which parts of the plan have already been prepared for the WFD Roof report 2004 on the river basin analysis. These chapters will need updating but the core information has already been collected. Chapter 9 on public participation will need to be extended to describe the dissemination of information, public consultation measures and the results of the participation process. Chapter 4 (Monitoring networks and monitoring results), Chapter 5 (Environmental objectives and exemptions), Chapter 7 (Programme of measures) and Chapter 8 (Register of more detailed programmes or management plans) are completely new, of which the Programme of Measures will be the most comprehensive one. Chapter 10 will include all information on the international coordination arrangements in the Danube River Basin District as well as a list of the competent authorities.

This basic outline will also be used for Part B (national reports or sub-basin reports) and Part C (sub-basin reports) but will vary in the level of detail. The basic approach described here will be further developed in the road map describing the implementation steps until 2009.

**Table 4 Basic outline for the DRBMP (based on Annex VII WFD)**

No.	Chapter title	WFD Roof Report 2004
1.	Characteristics of the Danube River Basin District	x
2.	Significant pressures and impacts from human activity	x
3.	Identification and mapping of protected areas	x
4.	Monitoring networks and monitoring results	-
5.	Environmental objectives and exemptions	-
6.	Economic analysis of water use	x
7.	Programme of measures	-
8.	Register of more detailed programmes or management plans	-
9.	Public information and consultation measures	(x)
10.	Competent authorities and international coordination arrangements	x
11.	Contact points for obtaining background documentation	x

## 8. Reporting to the European Commission

### 8.1. Reporting procedure

According to Art 15.1. (b):

*“Member States shall send copies of the river basin management plans and all subsequent updates to the Commission and to any other Member State concerned within three months of their publication:*

*(a) for river basin districts falling entirely within the territory of a Member State, all river management plans covering that national territory ...*

*(b) for international river basin districts, at least the part of the river basin management plan covering the territory of the Member State.”*

According to Art. 24.1.:

*“Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive at the latest 22 December 2003. They shall forthwith inform the Commission thereof.”*

An overview and time-table of the reporting obligations arising from the WFD is summarised in the following table.

**Table 5 Reporting obligations according to the Water Framework Directive**

	Article WFD	Deadlines
<b>Information on Implementation</b>		
- Information on bringing into force the laws, regulations and administrative provisions necessary to comply with the WFD	3 (8) and 24 (1)	after completion,
- Communication of the texts of the main provisions of national law which Member States adopt in the filed governed by the WFD	3 (8) and 24 (2)	at the latest 22 June 2004 <sup>5</sup>
<b>Summary report on analyses required under Article 5</b>	15 (2)	22 March 2005 <sup>1</sup>
- Analysis of river basin district characteristics		
- Reviewing and assessing significant pressures and impacts		
- Economic analysis of water use		
<b>Summary report on monitoring programmes designed under Article 8</b>	15 (2)	22 March 2007
- for surface waters: volume and level or rate of flow; ecological and chemical status, and ecological potential		
- for groundwater: chemical and quantitative status		
- for protected areas: supplements for specifications contained in Community legislation		
<b>River Basin Management Plan under Article 13</b>		
- First river basin management plan	15 (1)	22 March 2010
- First interim report describing progress in the implementation of the planned programme of measures	15 (3)	22 March 2013 <sup>2</sup>
- Review and update of river basin management plan	15 (1)	22 March 2016 <sup>3</sup>

The report to the European Commission is identical with the River Basin Management Plan. The following diagram illustrates the reporting procedure (**Figure 6**). The ICPDR decides on the common understanding of Part A and on the procedures for reporting to the European Commission. The ICPDR develops templates for data delivery for Part A of the Danube River Basin Management Plan. The Danube countries send the completed templates. The ICPDR Secretariat then prepares the draft DRB Roof Report, makes any adjustments requested by the Contracting Parties, and sends the final document to the Danube countries after approval of the ICPDR. The EU-Member States and accession countries then send their National Reports together with the coordinated DRB Roof Report to the European Commission.

The non-EU-countries in the Danube River Basin have committed themselves to implement the WFD in their countries and contribute to the preparation of the Roof Reports for WFD reporting.

Since these countries do not have reporting obligations to the European Union but their reports are an integral part of the Danube River Basin reports and finally of the Danube River Basin Management Plan the European Commission has requested that the ICPDR send a copy of the respective Roof Report and copies of the respective National Reports to the European Commission as an informal information. The ICPDR thereby demonstrates its coordinating role in the development of the Danube River Basin Management Plan, but does not formally report to the European Commission.

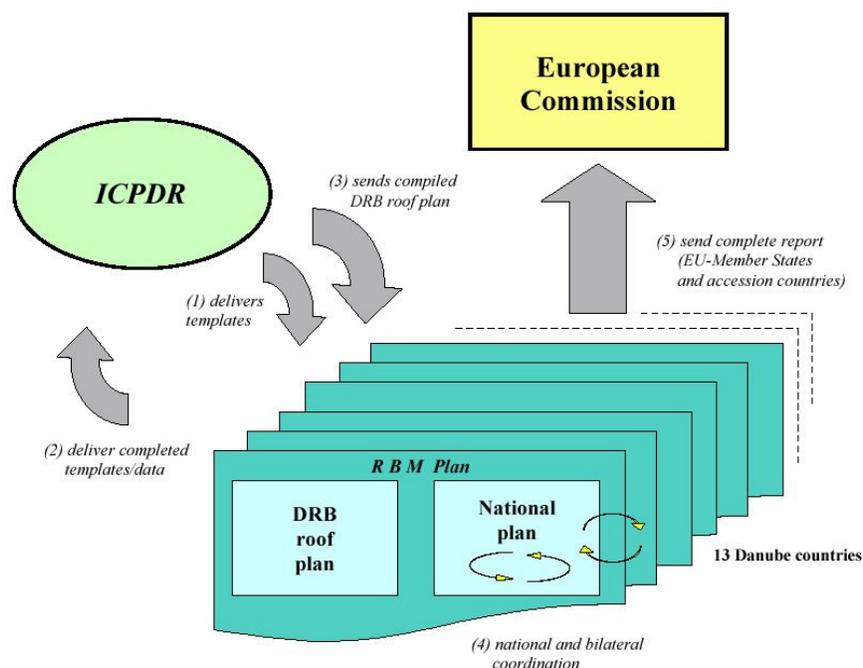
<sup>5</sup> Member States inform the Commission of any changes within 3 months of the change coming into effect (Art. 3 (9))

<sup>1</sup> review and update with the next river basin district management plan

<sup>2</sup> within three years of the publication of each river basin district management plan

<sup>3</sup> every six years

**Figure 6 Reporting mechanism to the European Commission**



The Roof Reports on Art. 3 and Art. 5 WFD have been prepared based on the mechanism described above and been sent to the Danube countries in time for meeting the reporting deadlines of the WFD.

All countries cooperating under the Danube River Protection Convention report to the ICPDR on the progress of implementation. The ICPDR therefore also functions as the platform for the exchange of the results of WFD implementation and in particular the reports.

## 8.2. Preparation of the Danube Basin Analysis Report (Art. 5 WFD)

For the Danube Basin Analysis Report (Roof Report 2004 on the requirements of Art. 5 WFD) it was necessary to collect a large amount of information over a wide range of different subjects (geography, hydrology, morphology, different kinds of pressures, ecology and biological status, chemical status, and economics of water uses) and therefore it was important to find an effective mechanism to collect, analyse and compile the information requested by the Directive in a useful way that would allow an overview of the situation in the DRBD. In order to achieve this task the ICPDR engaged consultants to prepare the analysis of the different fields. The consultants were asked to prepare selected chapters of the Roof Report based on the procedures and criteria agreed by the RBM EG or other ICPDR expert groups. These criteria most importantly dealt with identifying what is of “basin-wide importance” or “relevant on the basin-wide scale”, e.g. for the identification of significant pressures and impacts or the selection of economic indicators to describe the economics of water use on the basin-wide scale.

The implementation of this approach was made possible through the financial support of the UNDP/GEF Danube Regional Project. At least 10 consultants were engaged in the preparation of individual chapters of the Roof Report ranging from specialists in groundwater, protected areas, economics, water quality as well as new areas such as surface water typology, identification of water bodies or assessing the hydrological and morphological alterations having affects on the ecological status. The project financed data collection, data analysis and drafting of chapters and financed the preparation of 15 thematic maps.

The whole process was managed by the Technical Expert in River Basin Management at the ICPDR Secretariat who closely monitored the individual implementation steps and served as a link between the ICPDR expert groups, the national experts and the international consultants. All in all, about 200

national experts from 13 countries were involved in the preparation of this report. Ten consultants prepared draft chapters on special topics, others chapters were written by experts in the Secretariat or by national experts. Six expert groups or expert sub-groups of the ICPDR were involved in the preparation of the report.

The result is a report of about 200 pages (+ ca. 100 pages of annexes) which gives a good overview of the current overall situation in the Danube River Basin District. This report is a good starter for getting familiar with the Danube basin which allows the reader to then further explore the national reports which give much more detail on results and methods used.

The preparation of the report began one year before the presentation and approval of the report by the Danube Ministerial Conference on December 13, 2004. The preparation of the report in the given time can be seen as a true success. The amount of data collected and the amount of coordination achieved in this short time was tremendous. The successful completion of this report can be attributed to several factors which will be of interest to other international river basin authorities preparing similar reports:

1. The ICPDR decided to **prepare Part A and Part B in parallel**. This way it was possible to already collect data for Part A and start the preparation of the Roof Report while countries were still developing methods and analysing the much more comprehensive data needed on the national level (the Rhine Commission collected the national reports and then extracted information to prepare Part A thereby having to wait for the completion of the Part B reports). On the roof level (Part A) the ICPDR agreed on common criteria for the analysis. This was an important step because a common ground was found. This common basis even served as the starting point in many countries only beginning with the implementation of EU Directives, in particular the EU Accession Countries.
2. The **ICPDR** truly served as the **platform for coordination**. The technical expert for river basin management at the ICPDR Secretariat maintained close contact with all expert groups and the nominated national experts, ensuring the delivery of data and the quality of data needed and keeping close contact with the consultants to ensure a product that would adequately respond to the requirements of the WFD, would meet the expectations of the countries but would also lead to a report consistent within itself.
3. The **financial support of the UNDP/GEF Danube Regional Project** was an invaluable support to enable this multitasking exercise in the short time available.
4. The **guidance and direct support of the European Commission** through the chairmanship of the River Basin Management Expert Group over the whole period in which the expert group has been operating (since 2000) and the political back-up during the ICPDR presidency of the European Commission in 2004, the year in which in the Danube Basin Analysis Report was prepared, finalised and adopted. The results of the Danube Basin Analysis were the basis for drafting Danube Declaration which was adopted together with the Danube Basin Analysis Report at the Danube Ministerial Conference in December 2004. The Danube Declaration acknowledges the achievements in the Danube basin, states concerns about the environmental situation in the basin and defines mutual goals and objectives for the Danube River Basin reaching into 2015.

Also at the national level most Danube countries were able to prepare their national WFD reports. All EU-Member States in the Danube River Basin, Romania and Bulgaria as EU Accession States and Serbia and Montenegro have finalised their national reports on Art. 5 WFD in time for reporting to the European Commission. **Table 6** gives an overview over the national reports that have been prepared in response to Art. 5 WFD (report due 22 March 2005) as well the earlier reports on Art. 3 WFD (report due 22 June 2004). The availability of all these reports is a tremendous achievement considering the size and the complexity of this river basin and is due to the great coordination effort of the Danube countries under the umbrella of the ICPDR.

**Table 6 Overview of reports prepared on Art. 3 and Art. 5 WFD in the Danube River Basin**

State	ISO-Code	Art. 3 Report	Art. 5 Report
Austria	AT	X	X
Bosnia i Herzegovina	BA	X	-
Bulgaria	BG	X	X
Croatia	HR	X	-
Czech Republic	CZ	X	X
Germany	DE	X	X
Hungary	HU	X	X
Moldova	MD	X	-
Romania	RO	X	X
Serbia and Montenegro	CS	X	X
Slovak Republic	SK	X	X
Slovenia	SI	X	X
Ukraine	UA	-	-

## 9. Summary

This paper outlines the strategy for coordination developed in the Danube River Basin for the implementation of the EU Water Framework Directive (WFD). The Danube is the second largest river basin in Europe and covers territories of 18 countries. The 13 countries will territories of more than 2000 km<sup>2</sup> have signed and ratified the Danube River Basin Convention (DRPC) which forms the basis for cooperation. The main aim of the Convention is the sustainable and equitable use of surface waters and groundwater and the conservation and restoration of ecosystems. The 13 Contracting Parties have committed themselves to fully implement the WFD in their countries. Although the Accession Countries have no reporting obligations until they become EU-Member States, they are cooperating in the framework of the ICPDR to implement the necessary steps. The same is true for the other Non-EU States. Technical and financial support is being granted to these countries through the UNDP/GEF Danube Regional Project.

The Contracting Parties under the DRPC agreed that “the ICPDR will provide the platform for the coordination necessary to develop and establish the River Basin Management Plan for the Danube River Basin.” The ICPDR has installed the River Basin Management Expert Group to prepare and coordinate the necessary measures for basin-wide implementation of the WFD. The competent authorities have been nominated by the Danube countries. To handle the complexity of such a large and heterogeneous river basin the ICPDR agreed to differentiate between 3 different levels of coordination: 1) the basin-wide level, 2) the bilateral or multilateral level, and 3) the national level. The ICPDR deals primarily with the basin-wide level, assists at the multilateral/sub-basin level if necessary, and works towards harmonisation of methods in order to achieve comparable results at the basin-wide level.

### **The implementation of the WFD was divided in four phases :**

**PHASE I:** Definition of river basin districts, definition of the institutional frame and mechanisms for coordination (until 2003)

**PHASE II:** Analyses of river basin characteristics, pressures and impacts and the economic analysis, establishment of the register of protected areas (until 2004)

**PHASE III:** Development of monitoring networks and programmes (until 2006)

**PHASE IV:** Development of the Danube River Basin Management Plan incl. the programme of measures and public participation (until 2009)

Most of these phases runs in parallel in order to ensure the timely completion and publication of the Danube River Basin District Management Plan.

In order to be able to manage the large amount of data in this large river basin the ICPDR agreed to divide the reports to the European Commission into two parts. Part A (Roof Report) gives the basin-wide overview; Part B (National Reports) gives all relevant further information on the national level as well as information coordinated on the bilateral level. This approach was taken for the reports on Art. 3 and on Art. 5 WFD, for the river basin management this structure was modified.

There has been an agreement between the Danube countries to use the so-called “sub-unit” as the basic unit to prepare the management plan. A definition of the sub-unit is provided in this paper. The Danube River Basin Management Plan will consist of three parts with Part A being again the roof level, Part B being the national or sub-basin level and Part C as the sub-unit level. All three parts have a common structure. The level of detail increases from Part A down to Part C. The competent authorities jointly coordinate Part A through the ICPDR. Part B is coordinated as appropriate at the national, the bilateral or the multilateral level. Part C is coordinated by the competent authorities on the national level.

The outline of the Danube River Basin Management Plan will follow that given in Annex VII WFD, called the “*Elements of the river basin management plan*”. This allows countries sharing several international river basins to follow the same outline in all their river basins.

For the Danube Basin Analysis Report (Roof Report 2004 on the requirements of Art. 5 WFD) it was necessary to collect a large amount of information over a wide range of different subjects and therefore it was important to find an effective mechanism to collect, analyse and compile the information in order to allow an overview of the situation in the DRBD. This paper describes the mechanism used for the successful and timely completion of the report. One of the key elements of the success was preparing Parts A and B in parallel. The ICPDR collected data according to defined criteria and drafted the Roof Report from the data rather than collecting individual reports from the countries. The draft reports were then agreed in detail with the countries and finally approved at the Danube Ministerial Meeting in December 2004.

Each EU Member State sends the Roof Report (Part A) together with its own National Report (Part B) to the European Commission. In addition, the ICPDR has sent the following reports to the European Commission for information: a copy of the Roof Report and a copy of the National Reports (Part B) of those countries, which are (currently) not obligated to report to the European Commission (Bosnia and Herzegovina, Bulgaria, Croatia, Moldova, Romania, Serbia and Montenegro, and Ukraine). This paper finalises the strategy for international coordination in the Danube River Basin District. For the detailed planning of the Danube River Basin Management Plan a road map will be developed containing a detailed work plan outlining the necessary steps until March 2010 when the RBM Plan (summary of the elements according to Annex VII WFD) needs to be reported to the European Commission.

E N D