

To the International Commission for the Protection of the Elbe River (ICPER), and the Water Directors of Czech Republic, Germany and Poland

Cover letter for submission to the consultation of the international Elbe RBMP

22 October 2021

Dear Ms. Heide Jekel, President of the IKSE

Dear Dr. rer. nat. Slavomír Vosika, Head of the Secretariat, IKSE.

Dear Dr. Stefanie Hedtkamp, Head of the German Delegation

Dear Mr Lukáš Záruba, Head of the Czech Delegation and Water Director, The Czech Republic

Dear Mr Thomas Stratenwerth, Water Director, Germany

Dear Mr Guenter Liebel, Water Director, Austria

Dear Mr Przemysław Gruszecki, Water Director, Poland

The European Environmental Bureau (EEB) welcomes the opportunity to provide comments in the consultation for the draft international River Basin Management Plan for the Elbe River basin.

2021 is an important year for Europe's rivers, lakes and groundwaters as the River Basin Management Plans (RBMPs) for the next six years are being updated. The opportunity provided by the ongoing updates should be fully used to reach the objective of the Water Framework Directive to bring Europe's waters back to ecological health by 2027 the latest. This is the third chance to do so, but an NGO assessment of 13 draft RBMPs published in June by the Living Rivers Europe Coalition showed that, unless the plans are sufficiently improved, many EU countries are set to miss this goal.¹ The German part of the Elbe River basin was one of the river basins districts assessed to do poorly.

Today, with our colleagues from **Grüne Liga** we are submitting our comments and suggestions related to how **lignite mining and combustion** are addressed in the draft international RBMP for the Elbe River basin. **We are asking you for more ambition in the RBMP** before its adoption in December. In particular regarding **cost recovery, polluters pays principle and drinking water protection**.

The 2019 fitness check of the Water Framework Directive pointed out inter alia insufficient funding as a key constraint for the preservation and restoration of Europe's water bodies. As a recent special report by the European Court of Auditors points out, far too often the public have to bear the cost that polluters should have paid.² The Elbe draft RBMP fails to implement the polluters pay principle and recover environmental and resource costs from economic sectors such as lignite

¹ Living Rivers Europe, [The final sprint for Europe's rivers](#) (June 2021) – updated version covering more river basins will be published October 26, 2021

²European Court of Auditors, [Special Report 12/2021: The Polluter Pays Principle: Inconsistent application across EU environmental policies and actions](#) (July 2021)

mining, energy and agriculture. This limits the revenues that could be collected and used to implement necessary prevention and mitigation measures.

In the area of lignite mining, less stringent environmental targets must not be set for mining development that is inconsistent with the Paris Climate Agreement. Lignite mining must therefore be terminated more quickly in terms of scale and time than assumed in the draft management plan of the FGG Elbe. Furthermore, additional measures to protect water bodies from impairment by active mining must be defined at the national level. The unduly high influence of the mining company on the definition and implementation of objectives and measures must be stopped immediately.

Surface water bodies where drinking water is abstracted from bank filtrate must also be designated as water bodies with drinking water abstraction in the future.

People and the environment in the Elbe River basin are bearing the costs of the impacts from the coal industry. We, therefore, urge you to take action on the concerns and demands expressed by environmental associations as expressed in:

- the **Grüne Liga** lignite statement³ to take the necessary measures to protect the river basin from the disruptive impacts of lignite mining
- The EEB **assessment of the Elbe international RBMP**
- the report **Mind the Gap** that maps the lack of cost recovery for the lignite sector in Poland, Germany and Czech Republic and recommendations to address it⁴

Thank you in advance for defending the interests of better water protection.

Kind regards,
European Environmental Bureau
And Grüne Liga

³ https://www.kein-tagebau.de/images/_dokumente/210622_ugc_stellungnahme_bewirtschaftungsplan.pdf

⁴ EEB, [Mind the Gap](#) (December 2020)