

Recommendation 436 (1965)¹

Fresh water pollution control in Europe

Parliamentary Assembly

The Assembly,

1. Observing with alarm that the pollution of fresh water in Europe has reached such proportions that only immediate, joint action can forestall an inextricable and irreversible situation ;

That the fresh water supply of the population and the water requirements of agriculture and industry are, therefore, frequently endangered ; that the position of the main European lakes and rivers is critical ;

That water consumption grows so rapidly at the same time that it is likely to double in the next twenty years ;

2. Convinced that the general water problem must be governed by an overall, long-term policy responsibility for which must be assumed by Governments ;

That any action to prevent the further deterioration of water and reduce current pollution must be part of this overall policy ;

That the objective of fresh water pollution control can be summarised in three points, as follows :

- a. Rivers which are at present clean shall be preserved from pollution ;
- b. Rivers which are already polluted shall not be made worse by further pollution but shall be improved wherever possible
- c. Rivers polluted beyond certain limits shall be improved in accordance with a definite programme aimed at reducing the pollution ;

3. Convinced that adequate pollution control is only possible subject to effective international co-operation ;

That to this end States must :

1. agree on certain principles to underlie the bilateral and multilateral agreements which are essential for solving the problems posed by water pollution ;
2. continue, within the international organisations
 - co-ordinating scientific research,*
 - training scientific and technical staff,*
 - centralising legal, administrative and scientific documentation ;*

4. Convinced of the urgent need for each citizen to be confronted with his responsibilities and for Governments to alert public opinion to the seriousness and possible permanence of pollution and the threat it becomes for all life ;

That a "Water Charter" would be a powerful instrument in an anti-water pollution information campaign ;

1. Assembly Debate on 1st October 1965 (15th and 16th Sittings) (see [Doc. 1965](#)), report of the Cultural and Scientific Committee. Text adopted by the Assembly on 1st October 1965 (16th Sitting).



5. Considering that the resources mobilised up to now to curb pollution are manifestly inadequate and that serious action is required at both national and international level ;

That to this end the Council of Europe must do everything in its power, by bringing pressure to bear on national Governments and by taking action itself ;

That the important work carried out by the various international governmental and non-governmental organisations and notably by the United Nations Conference on water pollution problems held in Geneva in 1961 by ECE, WHO and FAO, must be taken into account forthwith ;

That the sound co-operation instituted among themselves by the various international organisations, and the formulations of the "Guiding Principles on fresh water pollution control", should enable the Assembly to draw up an action programme, all to be welcomed ;

6. Considering that to this end the Assembly should :

- a. adopt the "Guiding principles on fresh water pollution control" ;
- b. recommend the Committee of Ministers to urge member Governments to initiate joint action to control fresh water pollution and to this end to :
 1. adopt these "Principles on fresh water pollution control" as a basis for their policy ;
 2. provide for the training of qualified staff ;
 3. promote scientific and technical research ;
 4. promote the centralising and distribution of documentation ;
 5. intensify their co-operation in this field,
- c. recommend the Committee of Ministers to entrust certain committees of experts and the Secretariat General of the Council of Europe with specified tasks, notably the drawing-up and solemn proclamation of a "Water Charter" ;

I.

Adopts the following "Guiding principles on fresh water pollution control" :

Guiding principles applicable to fresh water pollution control²

Preamble

1.
 - a. Control of water pollution forms an integral part of water resource and water utilisation policies ;
 - b. All problems concerning the rational utilisation of water resources should be viewed in relation to the special features of each drainage area ;
 - c. Water pollution control constitutes a fundamental governmental responsibility and requires systematic international collaboration ;
 - d. It also requires the co-operation of the local communities and of all users of water.
2. The purpose of water pollution control is to preserve, to the maximum extent possible, the natural qualities of surface and underground waters in order to safeguard public health and to permit their use, in particular, for :

the production at a reasonable cost of drinking water of good quality ;

the conservation of aquatic and other fauna and flora ;

the production of water for industrial purposes, after such economically justified treatment as may be necessary ;

irrigation and animal consumption ;

recreational purposes, with due regard for health and aesthetic requirements.

2. These guiding principles shall also apply, mutatis mutandis, to deltaic and coastal water so long as special principles governing such water have not been formulated.

Control of water being a governmental responsibility, Governments should adopt a long-term policy directed towards reduction of existing water pollution and its prevention in the future. To this end, all appropriate legal and administrative measures should be taken to implement, in particular, principles 5 to 10 laid down hereafter.

International co-operation in the field of water pollution control, in particular with regard to research, training of experts and exchange of information, should be strengthened with the help of the various international organisations concerned.

Part I : National aspects

5. Water pollution control requires the establishment of administrative agencies which might take the form of :

- a. a central body responsible to the Minister in charge or to the Head of Government, and vested with such administrative powers as are necessary to enforce the application of water pollution control legislation ;
- b. in each draining area a body responsible for enforcing the application of regulations and for the adoption of water pollution control measures ;
- c. joint advisory committees consisting of representatives of the public authorities, representatives of users, and independent experts to assist and advise the above-mentioned bodies ;

6. Any discharge or deposit of waste directly or indirectly endangering human life should be forbidden.

7. Both for surface and for ground waters regulations should be established prohibiting the discharge or deposit, without prior administrative authorisation, of any substance of a kind which pollutes such waters.

8. Applications for authorisation to discharge such substances should be considered in the light of the following factors :

- a. the capacity of the receiving water to assimilate the materials to be discharged, taking into account the physical, chemical, biological, micro-biological and radioactive characteristics of these materials ;
- b. the evaluation of the economic, social and cultural advantages and disadvantages of possible methods of treatment and evacuation

9. It is essential that legislation on water pollution control should be strictly applied and that, in case of violation, sufficiently severe administrative or penal sanctions should be imposed.

10. The construction of plants for treatment of refuse and of installations for the purification of municipal sewage and industrial effluents should be encouraged by the most appropriate means, such as non-discriminatory subsidies, low interest loans, tax advantages, government guaranteed loan issues, etc.

Part II : International aspects

11. States whose territories are separated or crossed by the same water course should reach agreement on the following points :

- a. whether up-stream countries are required to maintain surface waters which flow into down-stream countries at a quality equal to that maintained in waters which remain within their territory ; and whether down-stream countries shall have the right to require that these waters be of such quality ;
- b. whether down-stream countries benefiting from exceptional efforts of purification made by up-stream countries are liable on that account to make financial compensations therefor ;
- c. whether any riparian country is responsible for substantial injuries which water pollution in its territory might cause to a co-riparian country and whether it is liable to indemnify the country suffering such injuries.

12. A special body for water pollution control should be set up for each international drainage area. In defining the tasks of such a body and in determining its administrative structure, account should be taken of the principles formulated in paragraphs 66 of part three of the report of the Assembly ([Doc. 1965](#)).

II.

Recommends the Committee of Ministers to urge member Governments, in pursuance of Article 15 (b) of the Statute, to take joint action to control fresh water pollution and to this end :

1. to adopt as a basis for their policy in this field the above "Guiding principles on fresh water pollution control" ;
2. to provide for the training of qualified staff :
 - a. by adopting training and teaching programmes designed to provide highly qualified, specialised workers in the field of pollution control ;
 - b. by encouraging ;
the international exchange of trainees ;
the expansion of international training programmes set up by international organisations (WHO, etc.)
3. to promote scientific and technical research :
 - a. by increasing the volume of scientific research being done by competent Ministerial departments and private bodies, and to set up special research laboratories where none exist ;
 - b. by supporting research carried out with a view to establishing international criteria governing quality ;
 - c. by continuing and giving full support to the research projects undertaken by international organisations, and by the World Health Organisation and OECD in particular
 - d. by intensifying the co-ordination of the research programmes of the various national laboratories initiated by OECD ;
 - e. by taking an active part in the International Hydrological Decade ;
 - f. by endorsing the conclusions of WHO with a view to the adoption of uniform scientific and technical standards for determining the desired quality of water from the public health point of view ;
 - g. by encouraging the European Inland Fisheries Advisory Commission to continue its efforts to provide standards for the water for European fresh water fish ;
4. to promote the centralising and distribution of documentation :
 - a. by recognising the need to centralise, classify, study and analyse scientific documents with a view to planning future research ;
 - b. by hastening the implementation of all practical action proposed with a view to the improved transmission of such documents ;
 - c. by encouraging OECD's enquiry into documentation facilities of research institutes ;
5. to take steps to strengthen and continue the international co-operation in water pollution control begun by existing international organisations ;
6. to ensure that delegations to the Group of Experts set up by the United Nations Economic Commission for Europe "to study the possibility of drafting a declaration of principles on water pollution control, setting forth the fundamental concepts which should be observed when planning and carrying out legislative and administrative water pollution control measures which would be submitted to Governments of member countries of ECE" are acquainted with this Recommendation and in particular with the "Guiding Principles" enunciated therein so that they may be guided by them in their future work.

III

Recommends that the Committee of Ministers give instructions to the :

1. Committee of Experts for the Conservation of Nature and Landscape :
 - a. to intensify its programme of research into the ecological problems of pollution and to take action to protect the more seriously threatened biotopes ;
 - b. to draft a final text of a "Water Charter" based on the Report of the Assembly (see the outline of a "Water Charter" in the Appendix) ;
 - c. to prepare publicity materials, including audiovisual materials, and see that they are distributed ;
 - d. to formulate and propose action to remedy instances of pollution damaging to wild flora and fauna and endangering natural preserves, national parks, humid zones, etc. ;

- e. to propose that certain regions threatened by pollution should be set aside as preserves ;
- f. to draw up a curriculum for study of the conservation of man's natural environment in co-operation with the Council for Cultural Co-operation ;

2. The Council for Cultural Co-operation :

to seek, in collaboration with the Committee of Experts for the Conservation of Nature and Landscape, means to incorporate the study of the conservation of natural environment into all school curricula ;

3. The Secretary General ;

- a. to publish the Assembly report in the form of an illustrated booklet similar to that on the "Preservation and Development of ancient buildings and historical or artistic sites" ;
- b. to circulate this report as widely as possible, chiefly among :
 - national Parliaments,*
 - international organisations intergovernmental or non-governmental concerned,*
 - industrial circles concerned with water pollution problems.*
 - local authorities through the European Conference of Local Authorities ;*
- c. to proclaim the Water Charter referred to under point III, 1 (b) at an official Council of Europe ceremony and to publicise it.

Appendix APPENDIX

Outline of a Water Charter

1. Water is a precious possession of mankind, indispensable to life and to material progress. Water affects all known sectors of activity including leisure pursuits. No life is possible without water.
2. Water is a living medium and it is dangerous to debase it, for the organisms living in it are extremely dependent upon it, as their sole source of subsistence. It is of prime importance to preserve the physical and chemical properties of natural water, as well as its specific biological properties. These are closely interrelated and any injury done to any one of them sets in motion a chain reaction deteriorating the others.
3. Water must not only be safe from the public health point of view but must comply with well defined standards of quality. The basic criteria are its suitability for domestic, agricultural and industrial use and for fishing and angling. All danger to public health must be obviated.
4. An inventory must be made of the water supply ; it is essential to know the extent of groundwater resources and approximate surface water resources, taking into account the water cycle.
5. The water problem must not be considered apart from its geographical context which is the catchment area. This is the natural unit and must in particular be the administrative unit for the purpose of pollution control.
6. Water is a common wealth. Everyone is a consumer, some have privileged positions as a matter of chance (waterways crossing or bordering their property), but this only increases their responsibilities towards those downstream.
7. After use, water should be returned to its natural medium in a condition comparable to that prior to consumption, that is, able to be handled by the self-purification mechanism so that it is fit for any use downstream.
8. The use of water must be governed by a programme of economy, to avoid all waste and make the most of the resource. Artificial regeneration techniques must be expanded and perfected and the discharge of harmful substances into water avoided. All research on water and waste water must be encouraged.
9. There is a growing scarcity of water because of the increasing household, agricultural and industrial demands and because of its deterioration in quality, and it will therefore be regarded as a rare and precious resource. It will be given imperative priority consideration and special long-term programmes will be established for it in regional planning projects.
10. In order that no one may be unaware of the seriousness of the problem and the need to preserve so valuable a resource, instruction and education relating to water will be dispensed by every means and at every level.
11. In view of the need for qualified staff, the training of specialists is imperative.
12. Having no political frontiers, water is international. Each country must therefore take steps to maintain the quality of water ; where several countries border on the same drainage basin, there must be bilateral or multilateral agreements and joint plans for conserving and purifying the water of the basin.