

22-23 April 2024, Warsaw

SR 25/2018 Floods Directive

Follow-up of **ECA's** recommendations

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EUROPEAN
COURT
OF AUDITORS



Special Report Floods Directive

Timeline:

Special Report was published in November 2018 with 14 recommendations. The follow-up of recommendations was completed in March 2022.





Special Report Floods Directive

Main audit question:

Were flood prevention, protection and preparedness under the 2007 EU Floods Directive based on sound analysis and was the approach employed effective?

Conclusion:

The Floods Directive had positive effects overall, but the implementation suffered from weaknesses in allocating funding.

All Member States have begun using Flood Risk Management Plans (FRMPs), but improvements are needed.

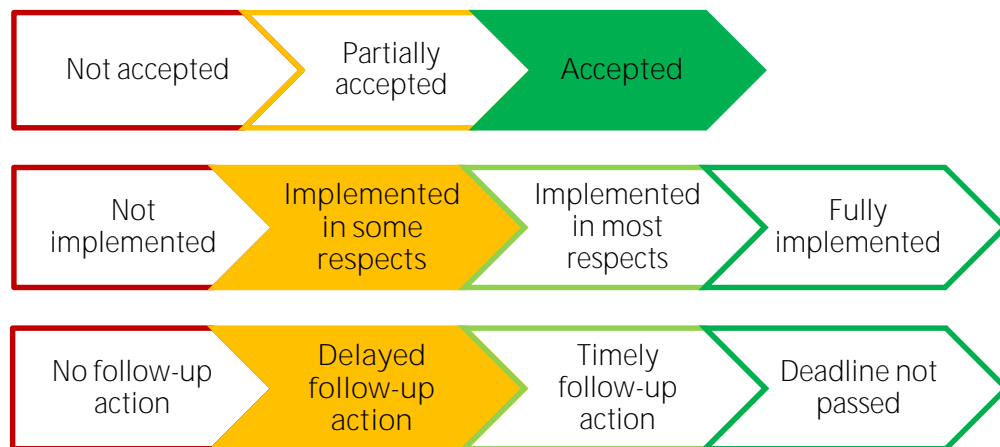
Major challenges remain, i.e. the fuller integration of climate change, flood insurance and spatial planning into flood risk management.



Recommendation 1

The Commission should check that the Member States set quantifiable and time-bound objectives in FRMPs to allow progress to be assessed, in accordance with the Floods Directive. It should share good practices in objective setting with all Member States.

Target date: March 2022



Main improvements

- October 2019 workshop with Member States to identify and share good practices
- **September 2021 Commission's publication of Member States' practices**

Main weaknesses

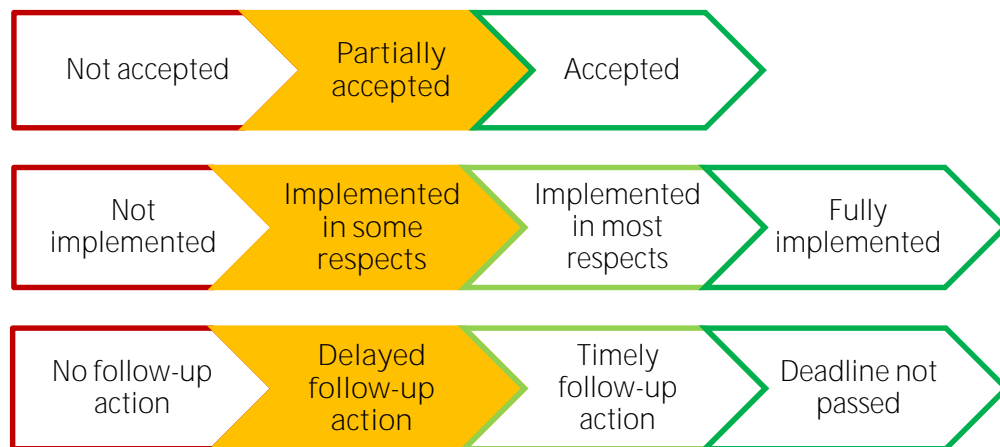
- **Commission's late assessment and report on the FRMPs in 2024**



Recommendation 2(a)

The Commission should assess and report on whether Member States have identified sources of financing to cover investment needs arising from FRMPs and established a timeline for implementing them in line with available funding.

Target date: March 2022



Main improvements

- Working group established with Member States for discussing costing and financing of measures
- Workshops planned for **strengthening Member States' capacity**

Main weaknesses

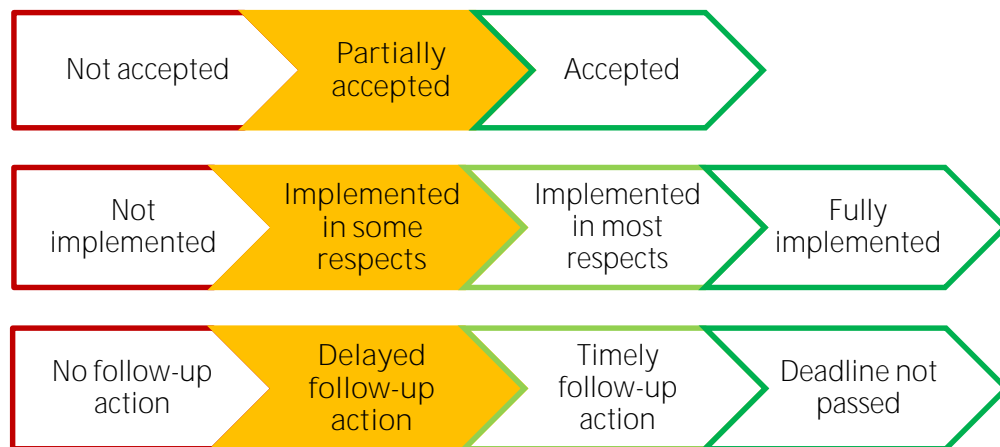
- **Commission's late assessment and report on the FRMPs in 2024**



Recommendation 2(b)

The Commission should assess and report on whether Member States have considered cross-border investment for flood measures on international river basins.

Target date: March 2022



Main improvements

- 2021 study sponsored by Commission on the economics for disaster prevention and preparedness confirmed the need of making cross-border investments

Main weaknesses

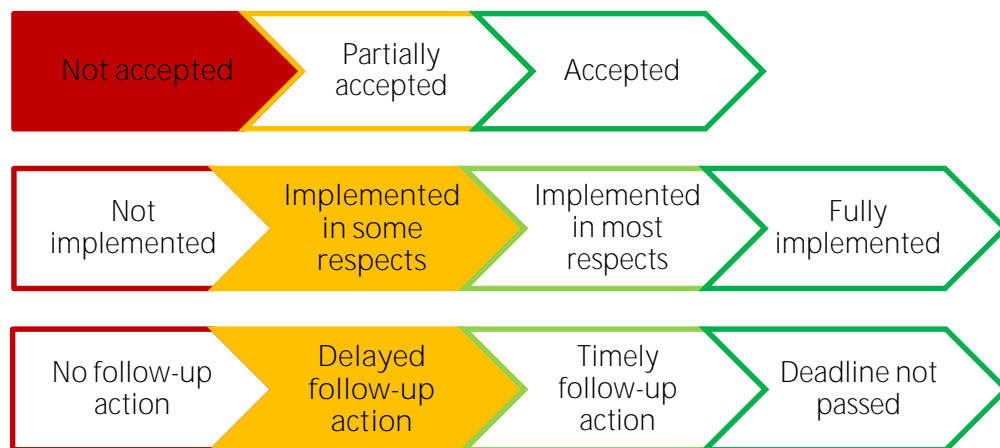
- Commission's late assessment and report on the FRMPs in 2024



Recommendation 3

The Commission should only co-finance flood measures prioritised in line with FRMPs. This prioritisation by Member States should be based on objective and relevant criteria, including cost-benefit analysis and where relevant, cross-border impact of projects.

Target date: March 2022



Main improvements

- Common Provisions Regulations 2021/1060 requires 'best value for money' for structural funds of the period 2021-2027
- Publication of Economic Appraisal Vademecum with guidance on simplified cost-benefit analysis

Main weaknesses

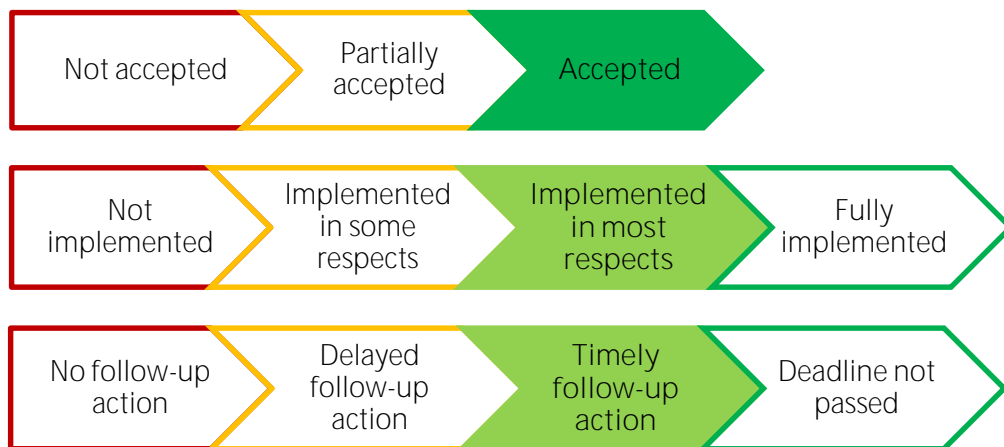
- Managing authorities are not required to carry out cost-benefit analysis. They can use other potentially easier but less relevant and objective methods



Recommendation 4

The Commission should enforce the compliance with the Water Framework Directive of new floods infrastructure proposed in FRMPs by Member States.

Target date: January 2019



Main improvements

- Commission sought clarifications from Member States on potential non-compliance

Main weaknesses

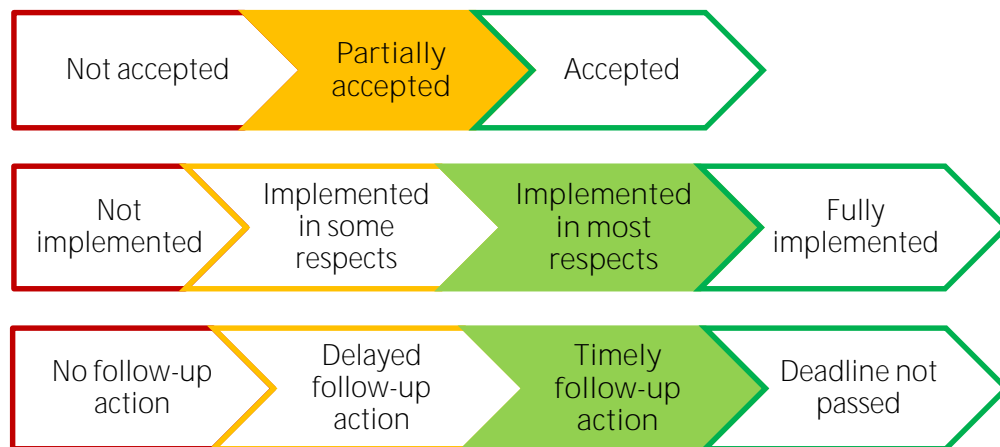
- Unsatisfactory replies from Member States have not resulted in formal infringement procedure



Recommendation 5

The Commission should check that the Member States have analysed the feasibility of implementing significant green measures, alone or in combination with grey solutions.

Target date: January 2019



Main improvements

- Commission checked whether the 1st FRMPs contained green measures

Main weaknesses

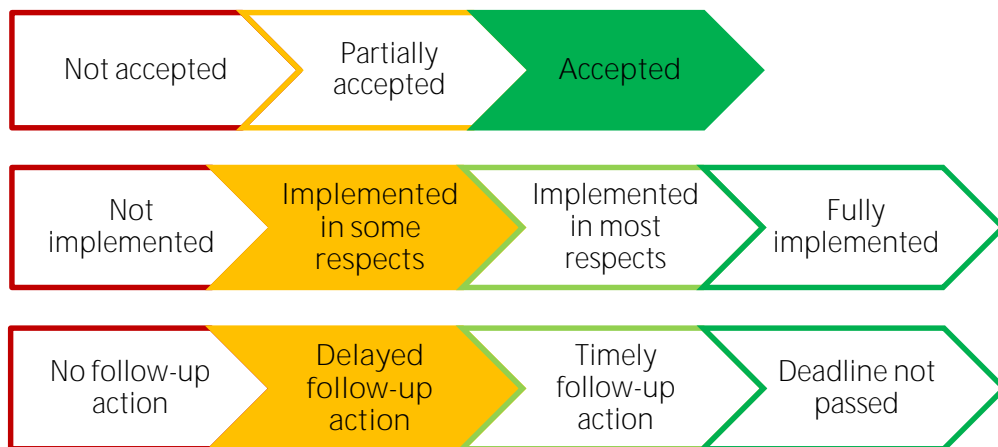
- Commission has not checked the feasibility of green measures in cases of EU co-financing; It claims this to be in the remit of Member States



Recommendation 6A

The Commission should check that FRMPs include measures to improve the knowledge and modelling of the impact of climate change on floods.

Target date: July 2019



Main improvements

- EU Strategy on Adaption to Climate Change COM (2021)82
- Report in September 2021 on the 'Current practice in flood risk management in the EU'
- Working Group on Flood held a workshop in October 2021

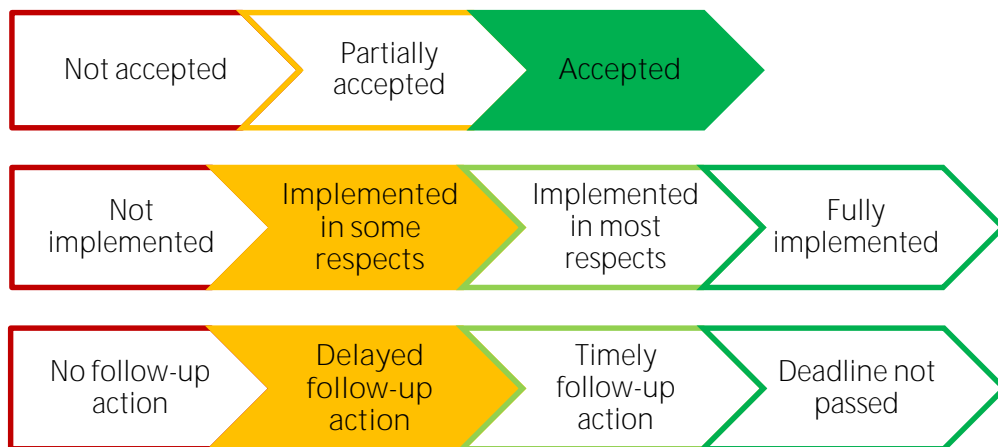
Main weaknesses

- Report still missing on Member States' progress on data acquisition and modelling by 22 December 2024

Recommendation 6B(a)

The Commission should check whether Member States estimate and model the impact of climate change on floods through studies and research.

Target date: March 2019 (preliminary flood risk assessments) and March 2022 (FRMPs)



Main improvements

- Commission has encouraged Member States to estimate and to model climate change impact on floods through studies and research

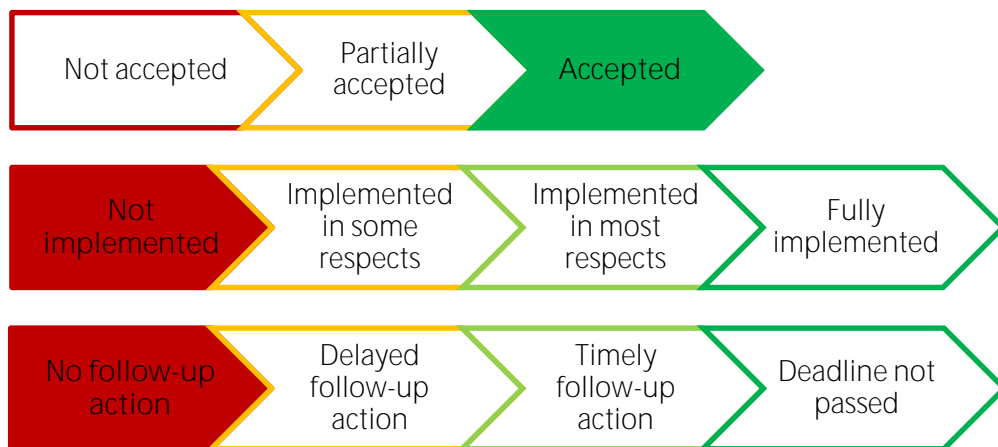
Main weaknesses

- Report still missing on the implementation of the Water Framework Directive and Floods Directive

Recommendation 6B(b)

The Commission should check that the Member States develop appropriate tools to better analyse and forecast pluvial floods, including flash floods, and coastal flooding due to rising sea levels.

Target date: March 2019 (preliminary flood risk assessments) and March 2022 (FRMPs)



Main weaknesses

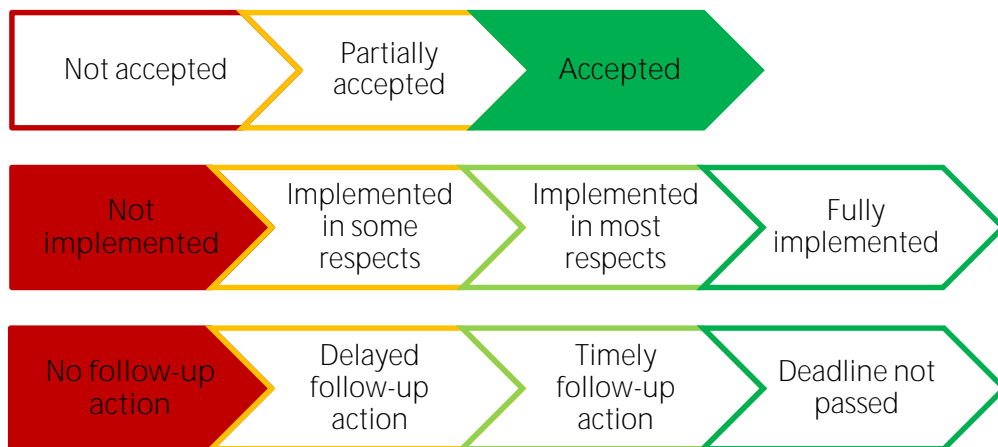
- Commission has still to act



Recommendation 6B(c)

The Commission should check that the Member States plan flexible measures to adjust the level of protection if needed, where the impact of climate change is not quantifiable.

Target date: March 2019 (preliminary flood risk assessments) and March 2022 (FRMPs)



Main weaknesses

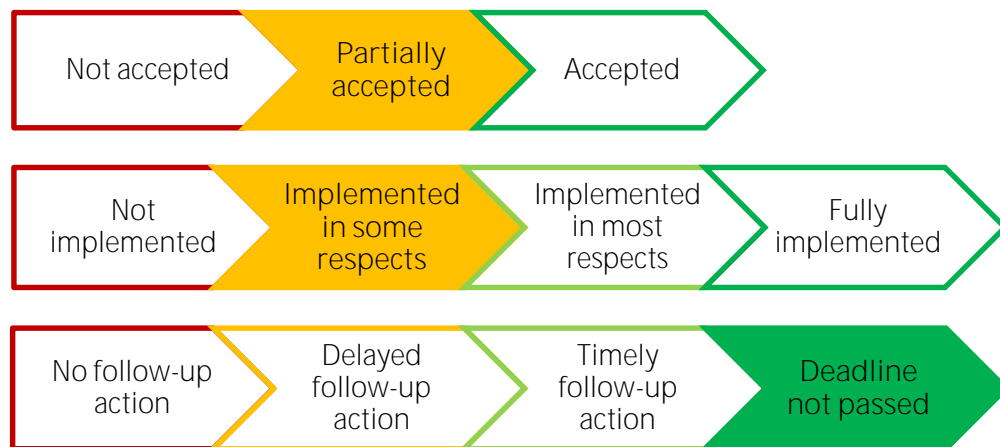
- Commission has still to act



Recommendation 7(a)

The Commission should check that the Member States have planned action to raise awareness of the benefits of insurance coverage against flood risks.

Target date: March 2022



Main improvements

- Commission has started encouraging Member States to plan measures for increasing insurance coverage
- 'Closing the climate protection gap', SWD (2021)123 of May 2021

Main weaknesses

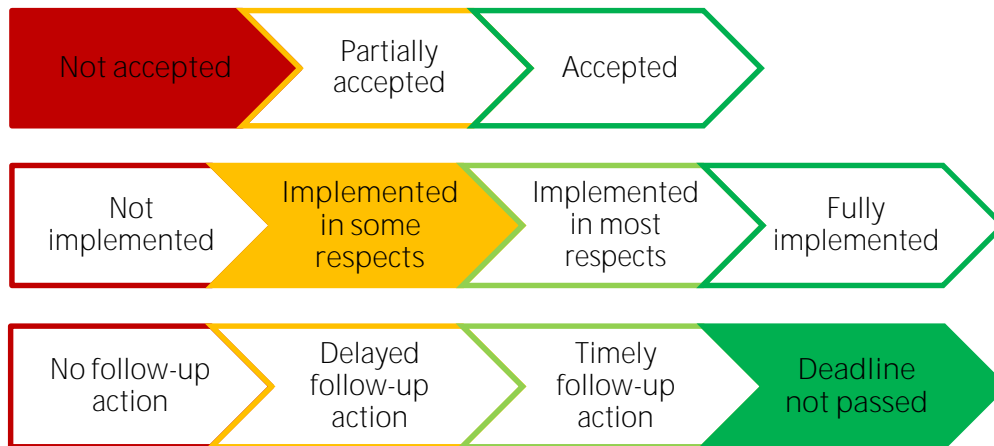
- Commission has still to check **Member States' actions to raise public awareness**



Recommendation 7(b)

The Commission should check whether Member States have planned action to increase insurance coverage, e.g. via cooperation between the public and private sectors in relation to flood insurance.

Target date: March 2022



Main improvements

- Workshop with Member States on insurance and floods
- Planned measures in the context of the Strategy for financing the transition to sustainable economy COM(2021) 390

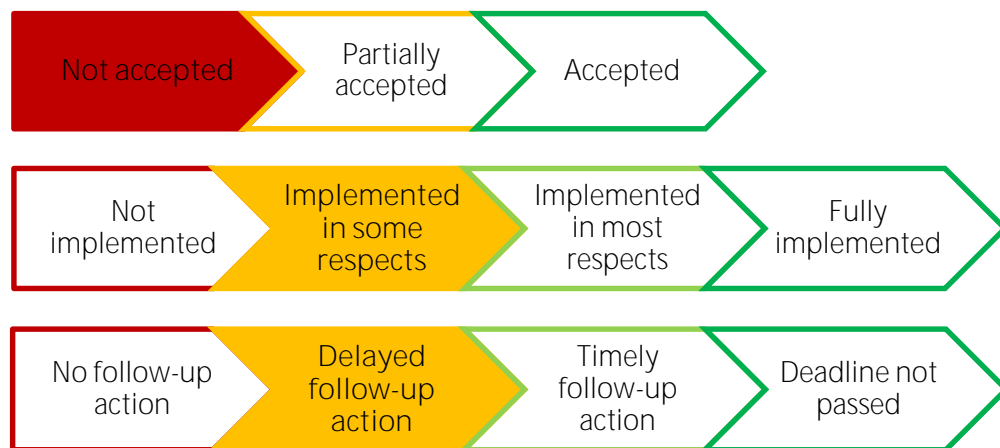
Main weaknesses

- Commission has still to check **Member States' actions to increase insurance coverage**

Recommendation 8(a)

The Commission should check whether Member States have used their FRMPs to assess the extent to which land use planning rules in Member States are adequately designed and effectively enforced in areas at risk of flooding.

Target date: March 2020



Main improvements

- Commission checked 1st FRMPs concerning information on spatial planning but found limited information
- 2020 workshop with Member States on spatial planning and floods

Main weaknesses

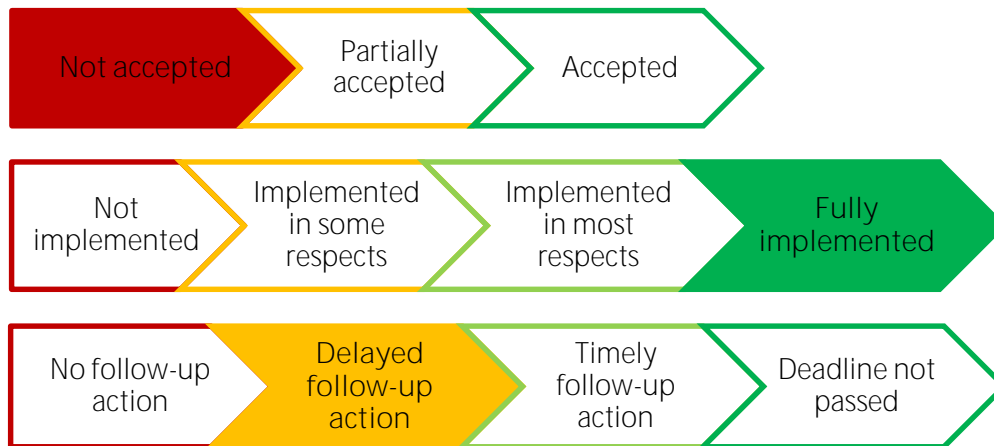
- Commission considers land use planning a national competence



Recommendation 8(b)

The Commission should disseminate good practices and guidance to Member States regarding alignment of FRMPs with land use planning rules.

Target date: March 2020



Main improvements

- Posting on Commission's website the weblinks to Member States' websites containing guidelines and laws on spatial planning
- Workshop with Member States on spatial planning and floods
- Publishing a compilation of current practices of flood risk management

Overview implementation of ECA's recommendations

Nr	Recommendation	Acceptance	Implementation	Timeliness
1	Improve accountability	Accepted	In some respects	Delayed
2(a)	Identify financing sources in FRMPs and establish a timeline for implementation	Partially	In some respects	Delayed
2(b)	Consider cross-border investment for international river basins	Partially	In some respects	Delayed
3	Improve prioritisation procedures and achieve value for money	Not accepted	In some respects	Delayed
4	Achieve Member States' compliance with Water Framework Directive	Accepted	In most respects	Timely
5	Check that Member States have analysed feasibility of green measures and grey infrastructure	Partially	In most respects	Timely
6A	Check measures in FRMPs to improve knowledge and modelling of climate change	Accepted	In some respects	Delayed
6B(a)	Estimate and model the impact of climate change through studies and research	Accepted	In some respects	Delayed
6B(b)	Develop tools to analyse and forecast pluvial floods and coastal flooding	Accepted	Not implemented	No follow-up
6B(c)	Plan flexible measures to adjust the level of protection against climate change	Accepted	Not implemented	No follow-up
7(a)	Raise public awareness of insurance	Partially	In some respects	Deadline not passed
7(b)	Increase insurance coverage	Not accepted	In some respects	Deadline not passed
8(a)	Check land use planning in FRMPs	Not accepted	In some respects	Delayed
8(b)	Disseminate good practices and guidance for land use planning in FRMPs	Not accepted	Fully implemented	Delayed

Contact details

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