

# Follow up to the European citizens' initiative Right2Water

2014/2239(INI) - 15/07/2015 - Committee report tabled for plenary, single reading

The Committee on the Environment, Public Health and Food Safety adopted an own-initiative report by Lynn Boylan (GUE/NGL, IE) on the follow-up to the European Citizens' Initiative Right2Water.

Members recalled that 'Right2Water' is the first European Citizens' Initiative (ECI) to have met the requirements set out in Regulation (EU) No 211/2011 on the citizens' initiative and to have been heard by Parliament after receiving the support of almost 1.9 million citizens. According to Members, the full implementation of the human right to water and sanitation, as recognised by the UN and supported by the EU Member States, is essential for life.

**The ECI as an instrument of participatory democracy:** Members stated that the ECI is a unique democratic mechanism which **promotes participatory democracy at the EU level**. They stressed that that an admissible and appropriate ECI should in principle result in a **new Commission legislative proposal** that meets the demands set out in the ECI, at least when the Commission has committed itself to presenting such a proposal, as in the case of the Right2Water ECI. Members considered it regrettable that the **communication lacks any real ambition**, does not meet the specific demands made in the ECI and limits itself to reiterating existing commitments. It should introduce all the measures that might help to achieve the goals. The Commission is also asked to make a **clear political commitment** and come forward with legislative proposals, and, if appropriate, a revision of the WFD, that would recognise **universal access and the human right to water**.

**The right to water and sanitation:** Members recalled that, according to the UN, the human right to water and sanitation entitles everyone to water for personal and domestic uses which is of good quality, safe, physically accessible, affordable, sufficient and acceptable. In accordance with a further UN recommendation, 3% of household income should be seen as a maximum for water payments where payments apply. In this regard, Members deplored the fact that in the EU-28 more than 1 million people still lack access to a safe and clean drinking water supply and nearly 2% of the population lacks access to sanitation.

Whilst calling on the Commission to recognise the importance of the human right to water and sanitation and of water as a public good, Members **rejected water cut-offs** and the enforced switching-off of the water supply as a violation of human rights. They asked Member States to **put an immediate end to these situations when they are due to socioeconomic factors in low-income households**.

Members also called on the Commission to identify areas in which water shortage is an existing or potential issue, and to help the Member States, regions and areas concerned, in particular rural areas and deprived urban areas, to address this issue properly.

The report recalled that, as stated in the WFD, **water is not a commodity but a public good** that is vital to human life and dignity. Therefore, the Commission should by no means promote the privatisation of water undertakings in the context of an economic adjustment programme or any other EU procedure of economic policy coordination given that these are services of general interest and are thus mainly in the public interest.

In addition, Member States are called upon to ensure non-discrimination in access to water services, ensuring their provision to all, including marginalised user groups.

As regards the **quality of water**, Member States are called upon to:

- impose an obligation on water suppliers to indicate the physicochemical characteristics of the water on water bills;
- draft urban plans according to the availability of water resources;
- increase controls and monitoring of pollutants, and plan immediate actions aimed at the removal and sanitisation of toxic substances;
- take action to reduce the considerable leakages from pipes in Europe and to renew the inadequate water supply networks.

They stressed that support for the Right2Water ECI and its objectives has been further demonstrated by the large numbers of citizens in countries such as Germany, Austria, Belgium, Slovakia, Slovenia, Greece, Finland, Spain, Luxembourg, Italy and Ireland who have spoken out on the issue of water and its ownership and provision.

**Water services and the internal market:** Members noted that countries across the EU, including Spain, Portugal, Greece, Ireland, Germany and Italy, have seen the potential or actual loss of public ownership of water services become a major issue of concern to citizens. They recalled that water supply and sewerage enterprises are services of general interest and have the general mission of ensuring that the entire population is provided with high quality water at socially acceptable prices and minimising the negative environmental impacts of waste water.

In line with the principle of subsidiarity, the **Commission should remain neutral regarding Member States' decisions relating to the ownership of water services** and should not promote the privatisation of water services either through legislation or in any other way.

Members stressed that the special character of water and sanitation services, such as production, distribution and treatment, **makes it imperative that they be excluded from any trade agreements the EU is negotiating or considering**. Therefore, the Commission is urged to **grant a legally binding exclusion for water services**, sanitation services and wastewater disposal services in the ongoing negotiations for the Transatlantic Trade and Investment Partnership (TTIP) and the Trade in Services Agreement.

According to Members, the production, distribution and treatment of water and sanitation services must remain excluded from the Concessions Directive also in any future revision thereof. They recalled that [Directive 2006/123/EC](#) on services in the internal market attracted strong opposition from civil society in many respects, including matters relating to services of general economic interest such as water distribution and supply services and wastewater management.

Members urged the Member States and regional and local authorities to move towards a genuine **Social Agreement for Water**, with the aim of guaranteeing the availability, stability and safe management of the resource, in particular by enacting policies such as the establishment of **water solidarity funds** and other mechanisms for social action to support people who are unable to afford access to water and sanitation services. Social action mechanisms should be put in place such as those that already exist in some EU countries to safeguard the provision of drinking water for citizens in genuine hardship.

Members also condemned the fact that denial of the provision of water and sanitation to disadvantaged and vulnerable communities is being used in a coercive manner in some Member States. In this regard, they called on each Member State to appoint a **water services Ombudsman** in order to ensure that water-related issues such as complaints and suggestions on water service quality and access can be processed by an independent body.

Water companies are encouraged to reinvest economic revenues generated from the water management cycle in maintaining and improving water services and protecting water resources. Members recommended putting an end to practices where economic resources are diverted from the water sector to **finance other policies**.

The Commission was also called upon to monitor carefully the use of direct and indirect EU funding for water management projects and to ensure that such funding is used only for the projects for which it was intended.

**Internalisation of the cost of pollution:** the report recalled that, through water bills, EU citizens are bearing the cost of purification of water and water treatment. More than 40 % of rivers and coastal waters are affected by diffuse pollution caused by agriculture, while between 20 % and 25 % are subjected to pollution deriving from point sources such as industrial structures, sewage systems and wastewater management networks. It stressed the importance of effective implementation of the WFD and the Drinking Water Directive, better coordination as regards their implementation, more coherence when drafting legislation and more proactive measures for saving water resources and substantially increasing water use efficiency across all sectors (industries, households, agriculture, distribution networks).

**EU external policy and development policy in the water sector:** Members stressed that EU development policies should fully integrate universal access to water and sanitation via the promotion of public-public partnerships based on not-for-profit principles. They reaffirmed that access to drinking water in a sufficient quantity and of a sufficient quality is a **basic human right**.

They called on the Commission to ensure adequate financial support to capacity-development actions in the water domain, relying on and cooperating with existing international platforms and initiatives.

The report underlined that assistance in providing safe drinking water and sanitation should be given high priority in the allocation of EU funds and in assistance programming. The **water, sanitation and hygiene (WASH) sector in developing countries should be given high priority in both official development aid (ODA) and national budgets**.

It stressed that although progress towards the Millennium Development Goal on safe drinking water is on track, 748 million people worldwide lack access to an improved water supply and it is estimated that at least 1.8 billion people drink water that is faecally contaminated, and the sanitation target is far from being met. Therefore, it is necessary to ensure adequate financial support to capacity-development actions in the water domain.

They called for the creation of a **global monitoring mechanism to track progress in achieving universal access to safe drinking water**, the sustainable use and development of water resources and the strengthening of equitable, participatory and accountable water governance in all countries.

They recalled that the World Health Organisation has stated that between 100 and 200 litres of water per day per person is optimal, while noting that 50 to 100 litres is required to ensure that basic needs are met and few health concerns arise. They called on governments, international aid agencies, non-governmental organisations and local communities to work to provide all humans with a basic water requirement and to guarantee that water is a human right. Members States are called upon to introduce a pricing policy that respects people's right to a minimum quantity of water for living and **cracks down on waste**. In this regard, Members called on the Commission to make renewal of ageing drinking water networks a priority in the Investment Plan for Europe, as well as measures to better inform the consumers about water and to contribute to more economical management of water resources.

Lastly, Members supported the Global Water Solidarity Platform launched by the United Nations Development Programme (UNDP) in order to engage local authorities in finding solutions to water

challenges as well as the '1% solidarity for water and sanitation' and other initiatives taken by citizens and authorities in some Member States in order to support projects in developing countries.