

# ECI ‘Right2Water’: Water and sanitation are a human right! Water is a public good, not a commodity!

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## Summary

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The European Federation of Public Service Unions (EPSU) took on the challenge of using a European Citizens’ Initiative (ECI) to put the human right to water and sanitation on the European agenda and demand its implementation in European legislation and policies. Specifically, it asks for:

1. Guaranteed water and sanitation services for all in the European Union.
2. Human rights above market interests: no liberalisation of water services.
3. Global/universal access to water and sanitation for all.

Europe’s public service trade unions have long promoted quality public services for all. Water is a public service because it is fundamental to life and health; no one can live without it. They have also supported the recognition of the human right to water and sanitation, as well as pushed for states to provide these public services in a transparent, accountable and participatory manner. The United Nations recognised this right in 2010. Many EU Member States, however, abstained from the final UN vote. The European Commission has since not taken any serious steps to promote its implementation in the EU.

Water is a limited natural resource and a public good. We want to safeguard water resources for future generations. Given that water is a natural monopoly, this ECI asks that water services are not liberalised and are exempt from internal market rules. Workers and citizens have experienced negative effects from the liberalisation of public services such as job losses, price hikes and inequality of access. Liberalisation has not created a more equitable, sustainable and just society.

The ECI is a powerful, albeit limited, tool. Even if an ECI receives the required number of signatures and complies with all the regulations, the Commission can still decide to reject the initiative. The ECI must be seen for what it is: an agenda setting tool for citizens to initiate a European-wide debate on a certain topic and turn the attention of the Commission, as well as the media and general public, to the subject.

The ECI 'right2water' has been a success on several levels. Firstly as a democratic tool, allowing citizens to put an issue on the European political agenda. Secondly by the fact that the Commission has removed water from the scope of the concessions directive, acknowledging that public interests must prevail over commercial interests. And thirdly by the enormous attention that 'right2water' received and the awareness raising effect it has had. It opened eyes and minds of many people to realise the importance of good quality water and sanitation for their and other people's lives.

To achieve this successful ECI campaign, we needed a broad range of supporters. We were joined by all kinds of organisations from across the political spectrum and civil society: many social and environmental NGOs, development organisations, but also women's organisations, churches, public water companies and municipalities. Major supporters included: EAPN, EEB, EPHA and WECF. All shared a common interest: the human right to water and sanitation must ensure this essential service for all, reduce poverty, improve public health, achieve sustainable water resources management and promote gender equality. In addition, several "public figures" agreed to be ambassadors for the campaign.

In the period between January 2013 and June 2013 we collected over 1.5 Million signatures. At the moment that we terminated the campaign, on 10 September 2013 we had collected close to 1.9 million signatures that we handed in to national authorities in Member States for verification. These authorities had three months time to do so and on 20 December we handed in 27 certificates representing over 1.6 million valid signatures from 27 Member States to the European Commission.

Within three months after submitting the final and valid number of signatures we were given the opportunity to meet with the European Commission and to have a hearing in the European Parliament. The Commission showed it was very interested in our ECI. MEPs showed a broad support across the political spectrum.

Therefore the final response of the Commission to our ECI two months later was somewhat disappointing. The Commission answered that it would not legislate on the human right to water and sanitation, but only encourage Member States to fulfil their obligations. Furthermore the Commission announced that it would start a public consultation on drinking water supply and explore benchmarking as a means to improve quality of water services in Europe. Thirdly it would explore the potential of Public-Private Partnerships in water services, promote a separate goal for water in the SDGs, and increase the budget (but not earmark) for water in EU development cooperation to achieve universal access to water and sanitation.

The intentions are good but the commitment remains low.

## Keywords

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*EU, human rights, ECI, 'right2water', campaign, civil society, liberalisation*

## Issues addressed

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**WASH (inequalities, schools, health centres, refugee camps, women and girls):** Issue of universal access

**Water resources management (water-use efficiency, integrated water resources management, transboundary cooperation, sustainable extraction and supply of freshwater, restore ecosystems and aquifers):** Proposals for legislation in EU law: Water framework directive, Drinking Water Directive and Waste Water Treatment Directive

**Water quality (pollution, dumping of toxic materials, wastewater management, recycling, reuse):** Not technically, but the question of responsibility and promotion of the Polluter-pays-principle

## Tools for implementation

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**Financing / economic instruments:** Promotion of affordability issue; Increased budget for W&S in EU development coop.

**Governance: Institutions / legal framework:** Demand of implementation of HR to W&S in EU law

**Capacity development:** Promotion of Public-Public Partnerships (Most of Water Utilities are public, they 'strong' ones can support the 'weaker' ones by a Public-Public Partnership for capacity development

**Who is involved?** Trade Unions, Civil Society Organisations, see full list at [www.right2water.eu](http://www.right2water.eu)

**What objectives?** Objective was 1: to put the human right to water and sanitation on the EU political agenda; 2: to achieve legislation that ensures implementation of this human right; 3: to promote EU action that supports implementation of the human right to W&S, i.e. that makes Water and Sanitation available, accessible, affordable, acceptable and safe for all

inhabitants in the EU; 4: to promote EU action to increase global universal access to W&S.

**Implementation challenges** The tool was a European Citizens Initiative (ECI): acquire one million signatures from at least seven Member States to get a response from the European Commission. See <http://ec.europa.eu/citizens-initiative/public/welcome>

**Main task/activities undertaken /Tools used** Tool was an ECI

**Main outcomes / impacts (what has changed?)** Outcome: 1,9 million signatures collected. Response of the European Commission: <http://ec.europa.eu/citizens-initiative/public/initiatives/finalised/details/2012/000003> and [http://eur-lex.europa.eu/resource.html?uri=cellar:9bf48961-b030-11e3-86f9-01aa75ed71a1.0001.01/DOC\\_1&format=PDF](http://eur-lex.europa.eu/resource.html?uri=cellar:9bf48961-b030-11e3-86f9-01aa75ed71a1.0001.01/DOC_1&format=PDF)

## Lessons Learned

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**Triggers** Awareness among citizens, media attention, local topics

**Drivers** Active citizens, political anger, corporate failures

**Barriers** High requirements to submit and sign for an ECI, Low political awareness (with regards to EU)

**What has worked well?** Interpersonal promotion, broad political support, Social media

**What can be improved?** Awareness, Political response and commitment.

**The way forward** Continuing attention and awareness raising about (the human right to) Water and Sanitation

**Links** [www.right2water.eu](http://www.right2water.eu)

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