

MORAIS BISMARQUE GASPAR Ana Gloria

From: Martin Pigeon <[REDACTED]>
Sent: 31 March 2014 17:53
To: Euro-Ombudsman
Subject: [EOWEB] comments re the ECo Human Right to water
Attachments: ombudsman comments re water eci.doc

Follow Up Flag: OI/9/2013/TN
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Sender

Sender Martin Pigeon [REDACTED]
To The European Ombudsman
Date Monday, March 31, 2014 5:53:17 PM CEST

Your data

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Language you would like to receive an answer in en - English

Part 2 - Data

To The European Ombudsman
Subject comments re the ECo Human Right to water
Dear European Ombudsman,

I was asked to send you the enclosed letter on behalf of the European Water Movement, in relation to the European Citizens Initiative on the Human Right to Water to which they contributed.

Content Kind regards,

Martin Pigeon

Corporate Europe Observatory



Dear European Ombudsman,

we are writing to you as a response to your invitation to submit comments regarding the functioning of the European Citizens Initiative (ECI). As campaigners for a public, progressive and sustainable management of water, we very strongly supported, with all means available to us, the ECI on the human right to water that was delivered to the European Commission last January. The Commission has now answered, so we have a good overview of the whole process. Our demands were the following :

1. The EU institutions and Member States be obliged to ensure that all inhabitants enjoy the right to water and sanitation.
2. Water supply and management of water resources not be subject to 'internal market rules' and that water services are excluded from liberalisation.
3. The EU increases its efforts to achieve universal access to water and sanitation.

In general, we are very disappointed by the exercise. First of all with the technical requirements for the collection of signatures: the use of a very bad software, unreasonable security requirements among others make any ECI a very costly undertaking from a financial point of view, placing it beyond the reach of most citizens' groups.¹ The human right to water ECI for instance would most likely not have been possible without the support of the European Federation of Public Services Union (EPSU).

But, above everything else, we do not understand what led the Commission to pretend it had answered positively to the ECI² whereas it has, to a large extent, done the exact contrary. The ECI's two first demands were very specific: legally recognise the human right to water and protect public water services from liberalisation pressures. The second demand in particular is strategic, as the European Commission has time and again tried to open up these fundamental local public services to privatisation – the latest examples being its scandalous water privatisation requirements in Greece and Portugal as conditions to its "aid" packages in the context of the crisis. The exclusion of water from the concessions directive was indeed taken against the Commission's will as a result of our mobilisation. The threat is therefore very real, and the excuse by the Commission that this is a Member State competence is ludicrous: if the Commission keeps trying to privatise

1 See for instance : http://techtotothepeople.com/news/as_an_afterthought

2 http://europa.eu/rapid/press-release_IP-14-277_en.htm

water services, why couldn't it try to do the opposite for once ?

The European Commission failed to propose new legislation or launch a discussion with Member States even on the first point, a rather non-controversial one though : besides listing activities it had already planned, the Commission now pretends that a public consultation on the Drinking Water Directive, which would have happened anyway, is a meaningful response.³

This is plain public manipulation. If the European Commission doesn't want to satisfy our demands, it should just say it and provide reasons instead of pretending to do one thing and do the opposite. We have spent considerable resources, time, efforts and good will, most of us doing this on a volunteer basis : if the Commission doesn't listen to 1.8 million citizens on such fundamental issues, what exactly are we supposed to expect of a "public consultation" ? Doesn't the Commission have anything else to answer than spin ? What kind of public administration is this ?

Anything you can do to have our concerns taken into account will be welcome.

Kind regards,

Citizens and groups active within the European Water Movement

3 See our detailed answer, <http://europeanwater.org/news/press-releases/399-european-commission-fails-to-take-real-steps-towards-the-recognition-of-the-human-right-to-water>