Follow up to the European citizens' initiative Right2Water

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PURPOSE: to examine the follow-up on the European Citizens' Initiative "Water and sanitation are a human right! Water is a public good, not a commodity!"

BACKGROUND: **"Right2Water"** is the first European Citizens' Initiative to have met the requirements set out in the Regulation of the European Parliament and Council on the Citizens' Initiative. It was officially submitted to the Commission by its organisers on 20 December 2013, after having received **the support of more than 1.6 million citizens**.

The Right2Water initiative invites the Commission "to propose **legislation implementing the human right to water and sanitation**, as recognized by the United Nations, and promoting the provision of water and sanitation as essential public services for all". The initiative urges that:

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

In line with the provisions of the Regulation on the Citizens' Initiative, the Commission has three months to present its response to this initiative in a Communication setting out its legal and political conclusions on the initiative.

CONTENT: the Communication first describes the work done by the EU in the field of water and sanitation.

The EU has also reaffirmed that "all States bear human rights obligations regarding access to safe drinking water, which must be available, physically accessible, affordable and acceptable". The EU Water Framework Directive recognises that "**water is not a commercial product like any other** but, rather, a heritage which must be protected, defended and treated as such".

The EU has in particular:

- established **ambitious water quality standards**, guaranteeing a high level of protection for both public health and the environment. The Water Framework Directive, the Drinking Water Directive and the Urban Wastewater Treatment Directive are the key pieces of EU law in this field;
- **provided financial support to expand and improve water infrastructures** in the Member States. Over the past seven years (2007-2013), EU financial support for investments in drinking water supply and wastewater-related works and infrastructure reached almost EUR 22 billion;
- based its policy on the principle that **affordability** of water services is critical.

EU legislation has consistently acknowledged the **specificity of water and sanitation services** and their importance in satisfying the basic needs of the population:

- **drinking water concessions**, as well as certain concessions for waste water treatment and disposal are therefore excluded from the scope of the new EU rules on the award of concession contracts;

- water distribution and supply and wastewater services are **expressly excluded from the application of the cross-border freedom to provide services**, as established in the Services Directive.

At the global level, the EU and its Member States currently provide close to **1.5 billion EUR every year** for Water Supply, Sanitation and Hygiene (WASH) programmes in developing countries, making the Union the largest single donor in the water sector.

Measures to be undertaken: in response to the citizens' call for action, the Commission is committed to take concrete steps and work on a number of new actions in areas that are of direct relevance to the initiative and its goals:

- to **reinforce implementation** of its water quality legislation, building on the commitments presented in the 7th Environment Action Programme (EAP) and the Water Blueprint;

- to launch an EU-wide **public consultation** on the Drinking Water Directive, notably in view of improving access to quality water in the EU;

- to continue to **ensure EU neutrality** as regards national, regional and local choices for the provision of water services, while taking care that key Treaty principles such as transparency and equal treatment are observed;

- to develop new initiatives to **improve information** to citizens so that the consumer enjoys greater transparency in relation to the quality of drinking water;

- to explore the idea of **comparative evaluation** of water quality;

- to promote a **more structured dialogue between stakeholders** - bringing together public and private service operators - and to cooperate with existing initiatives - to provide a wider set of **indicators and benchmarks** for water services;

- to stimulate **innovative approaches for development assistance** (e.g. support to partnerships between water operators and to public-public partnerships); promote sharing of best practices between Member States (e.g. on solidarity instruments) and identify new opportunities for cooperation;

- to **advocate universal access to safe drinking water and sanitation** as a priority area in the post-2015 development framework.

The Commission invites the Member States, acting within their competences, to take account of the concerns raised by citizens through this initiative and encourages them to step up their own efforts to guarantee the provision of safe, clean and affordable drinking water and sanitation to all.