Basic information

2014/2239(INI) INI - Own-initiative procedure	Procedure completed
Follow up to the European citizens' initiative Right2Water **Subject** 3.70.04 Water control and management, pollution of waterways, water pollution	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	BOYLAN Lynn (GUE/NGL)	24/09/2014
	Shadow rapporteur HERRANZ GARCÍA Esther (PPE) GARCÍA PÉREZ Iratxe (S&D) FARIA José Inácio (ALDE) TURMES Claude (Verts/ALE) AFFRONTE Marco (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	PREDA Cristian Dan (PPE)	11/12/2014
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
PETI Petitions	AUKEN Margrete (Verts/ALE)	05/02/2015

European Commission

Commission DG	Commissioner
Environment	VELLA Karmenu

Key events

Date	Event	Reference	Summary

19/03/2014	Non-legislative basic document published	COM(2014)0177	Summary
15/01/2015	Committee referral announced in Parliament		
25/06/2015	Vote in committee		
15/07/2015	Committee report tabled for plenary	A8-0228/2015	Summary
07/09/2015	Debate in Parliament		
08/09/2015	Decision by Parliament	T8-0294/2015	Summary
08/09/2015	Results of vote in Parliament		
08/09/2015	End of procedure in Parliament		

Technical information

Procedure reference	2014/2239(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/01522

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE539.669	10/03/2015	
Committee opinion	DEVE	PE551.789	12/05/2015	
Committee opinion	PETI	PE551.864	13/05/2015	
Amendments tabled in committee		PE557.290	27/05/2015	
Amendments tabled in committee		PE557.291	27/05/2015	
Committee report tabled for plenary, single reading		A8-0228/2015	15/07/2015	Summary
Text adopted by Parliament, single reading		T8-0294/2015	08/09/2015	Summary

European Commission

Document type	Reference	Date	Summary
Commission document (COM)	COM(2014)0177	19/03/2014	Summary
Commission response to text adopted in plenary	SP(2015)748	24/02/2016	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	CZ_SENATE	COM(2014)0177	10/06/2014	
Contribution	RO_CHAMBER	COM(2014)0177	15/09/2014	

Follow up to the European citizens' initiative Right2Water

2014/2239(INI) - 19/03/2014 - Non-legislative basic document

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.

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, ma**kes 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.

Follow up to the European citizens' initiative Right2Water

2014/2239(INI) - 08/09/2015 - Text adopted by Parliament, single reading

The European Parliament adopted by 363 votes to 96, with 231 abstentions, a resolution on the follow-up to the European Citizens' Initiative Right2Water.

Parliament 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 Parliament, 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: Parliament stated that the ECI is a unique democratic mechanism which **promotes participatory democracy at the EU level**. It stressed that the Commission should ensure the utmost transparency during the two-month analysis phase, that a successful ECI should receive proper legal support and advice from the Commission and should be properly publicised, and that promoters and supporters should be kept fully informed and updated throughout the ECI process. It considered it regrettable that **the communication lacks ambition**, does not meet the specific demands made in the ECI. It reiterated the commitment already taken. According to plenary, the **response given by the Commission to the Right2Water ECI is insufficient**, as it **does not make any fresh contribution and does not introduce all the measures that might help to achieve the goals**. It asked the Commission, with regard to this particular ECI, to lead a comprehensive information campaign on the measures that have already been taken in the field of water and how these measures could contribute to the achievements of the objectives of the Right2Water ECI.

It called on the Commission to come forward with legislative proposals, and, if appropriate, a revision of the WFD, that would recognise **universal access and the human right to water**. It advocated, moreover, that universal access to safe drinking water and sanitation be recognised in the Charter of Fundamental Rights of the European Union.

The right to water and sanitation: Parliament 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, it 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, Parliament **rejected water cut-offs** and the enforced switching-off of the water supply as a violation of human rights. It asked Member States to **put an immediate end to these situations when they are due to socioeconomic factors in low-income households**. Parliament 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.

Parliament called on the Commission, given the effects of the recent economic crisis, to collaborate with the Member States and regional and local authorities to conduct a study on water poverty issues.

The resolution 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.

Moreover, with regard to regulation and control, Parliament considered that the public ownership of water needs to be protected by encouraging public, transparent and participatory management models.

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.

Parliament 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: Parliament 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. It 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, ma**kes 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 Parliament, the production, distribution and treatment of water and sanitation services must remain excluded from the Concessions Directive also in any future revision thereof. It 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.

Re-municipalising water services: Parliament recalled that the option of re-municipalising water services should continue to be ensured in the future without any restriction, and may be kept under local management if so chosen by the competent public authorities. It 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.

Parliament 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, it 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.

The Commission is encouraged to draw up a European legislative framework for the reuse of treated effluent in order, in particular, to protect sensitive activities and areas.

Internalisation of the cost of pollution: Parliament 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: Parliament 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. It reaffirmed that access to drinking water in a sufficient quantity and of a sufficient quality is a **basic human right**. Member 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.

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 resolution 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**.

Parliament 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.

It also 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.

It 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. 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, Parliament 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, Parliament 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.

It should be noted that an alternative motion for a resolution, tabled by the EPP-ECR groups, was rejected in plenary.