

Respected Parliamentarians of the European Union,

As you will be aware, [Suez-Agbar have invited](#) you to visit, on 1st March, water installations in the Barcelona region. We would strongly urge you to both send this letter to the members of your party and to not take up the invitation. The fact is that the planned programme is biased, failing to provide alternative views from all interested parties throughout Spanish society, such as NGOs. These elements and opinions are essential, especially when dealing with public services and the environment.

We are aware of the existence of more than 15,000 lobbyists, from large companies and the financial sector, which bombard the European Parliament daily with their demands, so that their interests can be incorporated into European legislation. This changes the very principles of public policy; which effectively ceases to respond to general public interest to serve private interests, thereby producing a misgovernment of public functions and putting the very basis of democracy in danger.

In the case of water and of the management of this basic and fundamental service, this type of action puts fluvial ecosystems, social cohesion and human dignity at risk. As well as this, we find, paradoxically, that members of the interested party have established themselves as expert-advisors in the field, becoming the arbitrators of their own actions and thereby turning public institutions into accomplices in this horrific circle of self-interest. Is Suez-Agbar really able to be objective in their advice when, in 2012 alone, they made some 2.450 million Euros in profits? Throughout the course of history, when has the privatisation of public services ever had the support of the general public?

Analysing the programme we would like to point out:

- **The visit to Suez-Agbar's centre of operations.** It is important that you should know that a [legal judgement in 2010](#) decided that the management of Suez-Agbar was illegitimate for not being in possession of the respective administration service contract, as well as all related problem which that fact presented for the public. There is also the possibility that some 20 municipalities of the metropolitan region will find themselves in the same situation. In order to correct this, the Metropolitan Area of Barcelona (city administration) decided to create a new, combined company and award it, arbitrarily, to Suez-Agbar. The process has been condemned in no fewer than seven complaints to the Administrative-Contentious Jurisdiction, with [one of these filed by the Generalitat of Catalonia](#) itself, the autonomic government, for encroachment on government powers, and [others for concerns over companies](#) violating the free bidding process and the infringement of public procurement, which has presently ceased. In the face of such impropriety, several public platforms have presented [reports to the anti-corruption prosecutor](#) so that the local council of Barcelona, Greater Barcelona and Suez-Agbar are investigated for possible misdemeanours.

-**Visit to the water installations.** It is important to note that the desalination plant of El Prat de Llobregat, as well as the municipal purification plant of Baix Llobregat, the hydraulic barrier against saltwater seepage and the reverse osmosis plant of Sant Joan Despi, to mention just a few, were all financed with funds from the Catalanian Generalitat and European cohesion funds. Suez-Agbar has not invested a single euro in the above infrastructures. Furthermore, the [Generalitat of Catalonia has lodged legal complaints](#) to affirm that the Sant Joan Despi plant is owned and run by the Generalitat, not by the municipal administration and certainly not by Suez-Agbar. It is surprising to see that infrastructures funded with European cohesion funds, the purpose of which was to fund “projects for public investment with the purpose of improving the environment,” have been converted, in just a few years, into infrastructures to make greater profits for water multinationals.

-The debate over water policies within the EU. Firstly, it should be clarified that, (as previously stated in a letter to the Vice President of the Commission, Olli Rehn), the measures to access the “bailout” dictated by the Troika, (CEB, EC and IMF) relating to the privatisation of water in Greece, (Athens and Thessalonika) and Portugal (Aguas de Portugal) suppose a violation of the neutrality that the EU should be demonstrating in the light of publicly or privately owned infrastructures, as well as the management of those water services (Article 345 of the TFEU and Art.17 of the Directive 2006/123/CE relative to the internal market). Secondly, it should be remembered that the Italian public organised a constitutionally binding referendum in which more than 95% opposed the privatisation of water services, voting 'yes' to the public administration of the same, and for the elimination of profit-making in its management. However, incomprehensibly, a letter from Mario Draghi and Jean-Claude Trichet to Mario Monti rejected the right of the Italian people and stopped the implementation of the said referendum. Finally we would like to put forward our rejection of the document, ‘A Quality Framework for Services of General Interest in Europe’, which for the first time has deregulated the water sector, as well as social services and the health sector. A document which demonstrates a manifest intent to promote Public-Private Collaborations throughout all sectors, even though numerous examples have shown that these collaborations do not lead to an improvement in quality; instead, simply raising the cost for the public, reducing public capital as well as administration and causing devastating effects on the aquatic ecosystem. There is more than enough proof to show that the market should not be involved in the management of public services and common public assets. What actually occurs is a withholding of the information necessary to run the service, bringing with it a lack of continuity at the level of public service, producing a virtual resignation of responsibilities in the administration. In summary, it is a democratic plundering of finances of the public, as well as every family affected.

But we do not want to miss the opportunity to talk about other aspects of Spain's water problems. Commissioner Rehn's response informed us that “privatisation can start only once an adequate regulatory framework exists, one which avoids the abuse of private monopolies. At the same time, public access to the basic public infrastructure must be guaranteed.” These are fine words, but in Spain, there **is no** regulatory framework. It is more correct to speak of a constant deregulation of the administrations by the private sector, introducing, for example, “concession fees”, tempting mayors and mayoresses to fill their depleted municipal coffers. The charging of concession fees and practices also, of course, promote corruption in the tendering and management of the water services (open investigations can be found in these links to cases relative to [Andalusia](#), [Galicia](#), [Asturias](#) and [Catalonia](#)). Regarding abusive monopolies, the private water sector in Spain is confined to just two companies: Aqualia-FCC and Suez-Agbar, and in regions such as Catalonia, for example, Suez-Agbar alone oversees some 80 per cent of the population. Finally, it should be pointed out that access to water is no longer guaranteed. Water shortages in Spain have risen exponentially since the beginning of the financial crisis. In the metropolitan area of Barcelona alone, cases of water supply interruption rose from 25,000 2011 to 69,000 in 2012. In other cities such as Murcia, the population has presented complaints to the courts for abusive rises in price of water supply, something which puts human right of access to water and sanitation in grave danger, a right which was recently ratified by the General Assembly of the United Nations.

We cannot fail to mention also the state of the implementation of the EU Water Framework Directive. It is important to note that Spain is very behind in its delivery of Hydrological Plans, the majority of which have not been presented to the Commission. However, it is worth noting that Catalonia did, in fact, deliver its plan of the Internal Basins, thanks to the public management of the sector and the participation of the public. The pressures caused by diverse water uses (agricultural,

hydro-electric, urban supply companies) have been a factor in this major delay, which will doubtlessly incur national EU sanctions, due to the difficulty of the incorporation of effective measures which contribute to good water conditions to be achieved by 2015, one of the principle objectives of the WFD. Another clear example of the lack of continuity which privatisation provokes in the management of water supply is the interference with ecological systems; for instance, the recent privatisation of the public group Aigues Ter-Llobregat through Acciona has created an over-exploitation of the river Ter, because it is the most profitable water source, highlighting that the environment always comes second to the needs of those seeking profit.

Bearing all this in mind, we urge you to take part in the meeting to be held in Brussels on the 19 March, a meeting organised by the general public. It will provide an opportunity to listen to the voices of the people who ask, and have been asking now for some time, for an effective protection of public services, which are vulnerable to the markets and those seeking to exploit them for the purpose of profit. They will ask for the protection of aquatic ecosystems, the planet's fountain of life. We beseech you to join with the people of Portugal, Greece, Italy, France, Germany and Spain, of all Europe, and with the [European Citizens' Initiative of Water](#), which proclaims that: "Water and sanitation are a human right! Water is a public commodity, not merchandise!" We have now collected 1.2 million signatures, a number due to grow by September, so that when it is presented to the European Parliament, there will be no doubt of the will of the European people, and which direction to take in the future.

Yours sincerely

[European Water Movement](#), [Red Agua Pública](#), [Asamblea Paz-Fama-Vistabella](#)/Ciudadanos por el Derecho a la Ciudad (Murcia), [Asociación en Defensa del Territorio del Aljarafe - ADTA](#), [Asociación Española de Operadores Públicos de Abastecimiento y Saneamiento - AEOPAS](#), [Attac](#), [Aula de l'Aigua](#), [Comisiones Obreras - CCOO](#), Coordinadora en Defensa de la Gestión Pública del Agua en Jerez, Coordinadora Provincial contra la Privatización del Agua en Cádiz, [Ecologistas en Acción](#), [Federación de Industria y de los Trabajadores Agrarios de la Unión General de Trabajadores \(UGT-FITAG\)](#), [Federación española de Ingeniería Sin Fronteras](#), [Fundación Nueva Cultura del Agua - FNCA](#), [Plataforma Aigua és vida](#) (Catalunya), [Plataforma Apemsa no se vende](#) (Puerto de Santa María), [Plataforma contra la especulación urbanística y medioambiental de Candeleda](#), [Plataforma contra la Privatización del Canal de Isabel II](#) (Madrid), [Plataforma por el Agua como Servicio Público de Laguna de Duero](#), Red Agua Pública de Aragón – RAPA, [Red Andaluza de la Nueva Cultura del Agua](#) y Xúquer Viu