Access to essential services - European report underlines the need for public regulation

(13 December 2021) A recent report from the European Social Policy Network (ESPN) analyses the measures, policy frameworks and reforms that countries have put in place to help people on low incomes to access essential services. The report, which covers 27 EU Member States and 8 other European countries, lays the ground for a EU initiative proposal in 2022 to ensure everyone has access to essential services such as water, sanitation, energy, transport, financial services and digital communications.

The key ‘takeaway’ message from the report is that “facilitating access to essential services is a public responsibility which entails public obligations.” Liberalised markets have not delivered greater access and cheaper prices for low-income groups. Government action is fundamental to guarantee access for all.
The right to essential services is one of the principles in the European Pillar of Social Right (EPSR), an initiative taken by the European Union to commit to a Social Europe to be inclusive and fair. The EPSR consists of 20 principles grouped around three chapters: Equal opportunities and access to the labor market; Fair working conditions; Social protection and inclusion. In particular, principle 20 states that “everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications. Support for access to such services shall be available for those in need.”

The EPSN synthesis report covers these essential services, more specifically the measures, policy frameworks and reforms that support low incomes in accessing them. Comparative analysis shows that these diverse services responding to basic needs of daily life have one common element: “their public nature and the corresponding specific public service obligations arising therefrom”. Moreover, the report finds that gaps in provision exist:

- In several countries there still persists an unequal access to water and sanitation;
- that while measures are taken to tackle energy poverty, these are mitigated by the adverse overall context of rising prices and persisting access constraints;
- transport affordability problems continue to disproportionately affect people on low incomes;
- that measures currently in place across countries on the digital divide are not satisfactory and that the digitalization of services has increased obstacles to access for low incomes;
- that while EU Member State are in compliance with the payments account directive, it is questionable whether they have engaged in serious efforts to ensure the right to a bank account for all.

In short, the report highlights a series of failings in the provision of essential services to low income households in EU and other European countries. The ESPN report makes a number of recommendations to guarantee such services and also calls for better monitoring and data collection. At the European level, the report recommends:

- to integrate access to essential services into the Green Deal;
- monitor closely any deteriorating conditions for low income households due to the COVID-19 pandemic;
- to link access to essential services within EU economic governance, for example the EU semester;
- a EU-wide ban on water disconnection due to inability to pay,
- support for a minimum guaranteed income

EPSU had a follow-up meeting with the Commission in January 2022. Here we picked up on indications that the Commission might focus on access to essential service from an anti-poverty perspective (only). Here we stressed that the EPSN report underlines that the frameworks setting out the public nature / obligations regarding access and affordability of essential / public services do not distinguish between poor and non-poor (to put simply). To illustrate from the Dutch national report file:///C:/Users/user/Downloads/ESPN_NL_access_essential_services_2020.pdf “In Dutch policy and practice, however, neither the featured services nor the measures facilitating access to these services are distinguished in the way the European framework does; in the Netherlands they form part of larger policies and mechanisms. In fact, most measures supporting low-income people are not directed at specific services, while most measures facilitating access to specific services are not specifically directed at low-income people.”
A EU initiative to develop frameworks to support access to essential services by low-income / disadvantaged groups only would not fit in with national realities, where there are general frameworks on access to essential services. These general frameworks need to be strengthened to make them more resilient and inclusive. This would require a public services approach to be integrated in the EPSR, articulated with the Services of General Interest Protocol. The SGI Protocol is not mentioned in the EPSR (though a reference was added to the ‘fiches’ that were developed by the Commission for each principle). Such an approach has been suggested by the Commission itself in the past - SGI White Paper etc but also the 2011’12 levers’ Single Market Communication

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52011DC0206:
The Commission will therefore examine the measures to ensure, in conjunction with Article 14 and Protocol No 26, that all citizens have affordable access to essential everyday services which they need in order to participate in economic and social life, with due regard for the vital role of the Member States in providing, commissioning and organising such services. This response will take into account the changing needs of Europeans.

The EU should take a fundamental rights approach with obligations on Member state to ensure the inclusive nature of essential services/public services.

The Commission confirmed that the upcoming report would contribute further reflection on essential services.

EPSU will engage in the preparation of further initiatives on essential services planned by the Commission in 2022, in support of inclusive public services.

See also Link to the national reports

• Log in to post comments

• Printer-friendly version

Networks
Public Services
Other organizations
EC