



The fight
for the
human
right to
water in
Europe





Foreword

Drinking water is essential. Without water to drink, we cannot survive. That is why access to water is a human right, as declared by the United Nations in 2010. The fundamental need for water is what motivates workers in the water sector to deliver water and wastewater services 24 hours a day, seven days a week. Access to water is not for the lucky few that can afford it. It symbolises the struggle for human rights and public services for all. For many years, EPSU has been fighting alongside water activists, social movements, Public Services International and many others to prevent corporations from running our water services and exploiting workers and people for the profits of shareholders.

This booklet sets out some of the work we have been doing over the last 25 years and provides an overview of the many angles this struggle has. The research with Public Services International Research Unit helped us understand the dynamics in the water industry. We campaigned with others for Progressive Public Water Management. We fought against the privatisation of water companies, for example with our comrades in Thessaloniki. Together, we led the first ever successful European Citizens Initiative for the Right to Water in 2012. EPSU joined others in the Blue Communities project to look forward and make our cities better for all, and each year we are active on World Water Day on 22 March. So yes, this booklet looks back and celebrates the joint work of public service unions and activists. We hope you enjoy it.

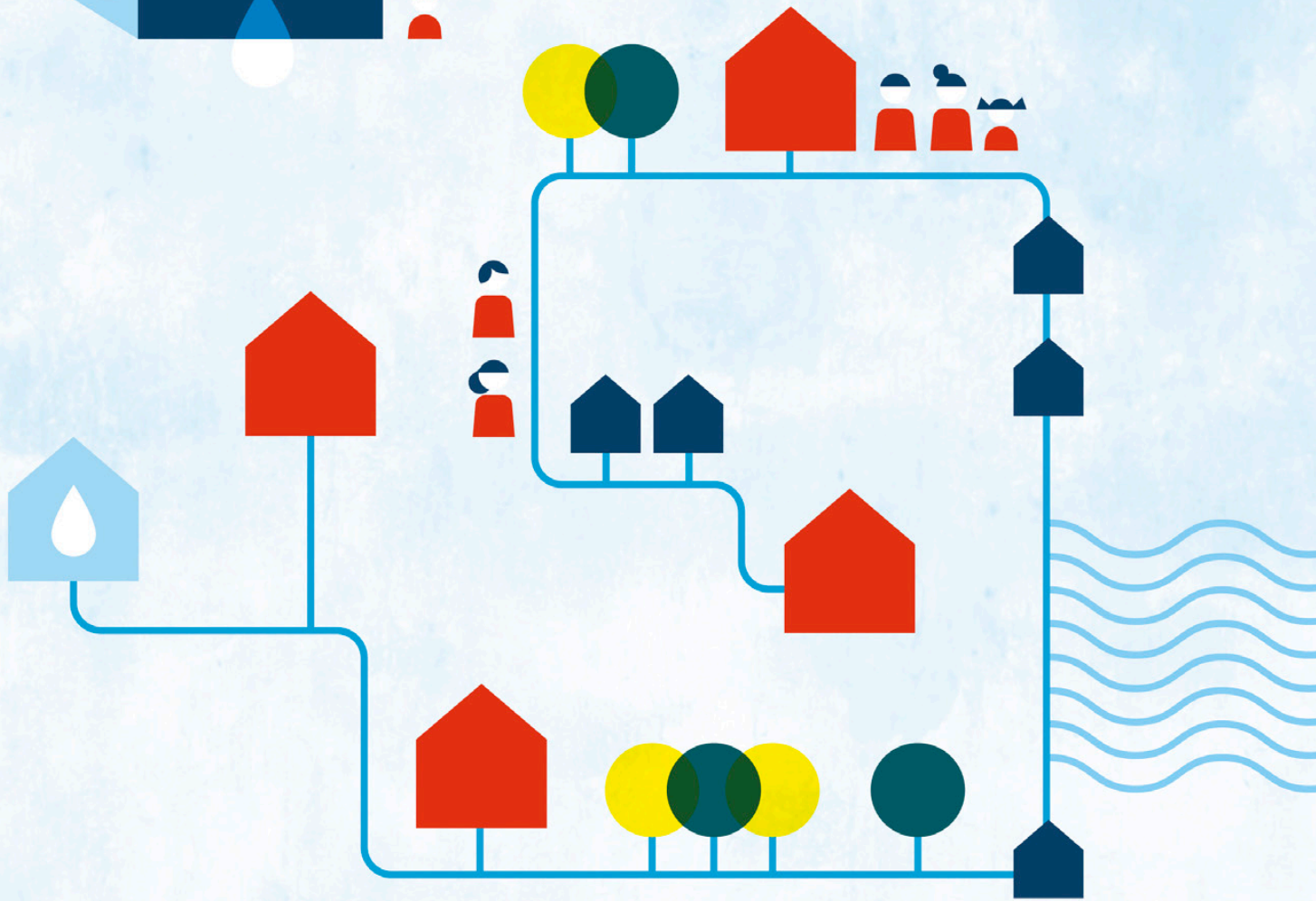
This booklet is also part of the continuing struggle for the right to water. Our immediate concern is to get the social dimension of post-pandemic recovery plans right, and climate action is a key part of that. Governments across Europe need to invest in public services and protect human rights. In the EU, the implementation of the European Pillar of Social Rights offers new opportunities to realise the right to water and to sanitation, and can motivate other governments in the Western Balkans, the Eastern Partnership and beyond in Russia and Central Asia, to follow.

Above all we hope the booklet inspires you to read more, and to get involved with the actions of your trade union and others. Our fight is not just the fight of water workers. It is not just about water. It is a fight for the future of our societies and our planet. If we pollute our water sources and drain our aquifers plants, animals and humans will suffer. EPSU seeks to make a difference through debates on climate change and green plans and in our work on the circular economy and adaptation strategies. For workers in the water and wastewater sectors, in public services and ultimately for our communities. We are in this together, fighting for a future for all. Be part of it, join us. Success.



Jan Willem Goudriaan

EPSU General Secretary



Introduction

World Water Day on 22 March 2021 celebrates water and raises awareness of the 2.2 billion people across the globe who do not have safe access to water.¹

It is also an opportunity to remind governments that they have a legal obligation to ensure access to safe drinking water and sanitation for all. The United Nations (UN) General Assembly and Human Rights Council first recognised access to safe drinking water as a human right and part of binding international law in 2010. The General Assembly recognised the human right to sanitation as a distinct right in 2015.

However, in Europe, around two million people still do not have suitable water or sanitation and many people with low incomes are threatened with disconnection if they cannot afford to pay their bills.²

This would be unacceptable at any time. In the midst of the Covid-19 pandemic, when governments are urging their citizens to wash their hands frequently in order to prevent the spread of the virus, it cannot be right so many are excluded.

The European Federation of Public Service Unions (EPSU) has a long history of campaigning for the human right to water and sanitation. The federation initiated the first ever successful European Citizens Initiative (ECI) on the human right to water in 2012.³ The Right2Water initiative called for water to remain a public service and a public good and set out three key demands:

- Guaranteed water and sanitation services for all in Europe;
- No liberalisation of water services; and
- Universal – that is global – access to water and sanitation for all.

The action resulted in the European Parliament adopting the recast drinking water directive at the end of 2020 (see Section 1). The directive includes a new article on access to water, requiring Member States to improve or maintain access to water intended for human consumption for all, particularly vulnerable and marginalised groups.

EPSU also argued successfully that Directive 2014/23/EU, on the award of concession contracts – outsourcing or contracting out public services – should exclude the water sector (see Section 3).

Public-private partnerships (PPPs) are long-term contractual arrangements where the private sector provides infrastructure assets and services that have traditionally been directly funded by government, including water and sanitation plants, and where there is also some form of risk sharing between the public and the private sector.

[EPSU, Why public-private partnerships \(PPPs\) are still not delivering December 2020](#)

But there is still a long way to go. The recast drinking water directive is only a small step towards guaranteeing that vulnerable people have access to drinking water. There is too much scope for Member States not to implement the provisions the directive stipulates, and it does not explicitly mention the human right to safe drinking water. In addition, the European institutions have yet to take any action to improve access to sanitation.

The European Commission has started a review of the concession contracts directive – EPSU is clear that nothing has changed to justify the inclusion of water. Furthermore, the European Parliament is pushing an amendment to a report on the water framework directive to promote public private partnerships (PPPs). This is despite mounting evidence that PPPs do not benefit workers or citizens (see Section 3), and despite the definition of water set out in the water framework directive which makes clear that water is not a commodity, but a heritage that must be protected and defended

Over the next few weeks and months, EPSU will be stepping up its campaign:

- to promote the human right to water and sanitation in the future;
- to ensure that no users in the European Union (EU) will have their water supply disconnected;
- to call on the European Parliament to enshrine the “water is not a commodity” principle of the water framework directive in all EU water and water-related policies;
- for the progressive public management of water, sanitation and other sectors; and
- to ensure good working conditions and high health and safety standards for workers in the water sector (circular economy).⁴

1. Access to water and sanitation is a human right

In 2010, the UN General Assembly and Human Rights Council recognised the human right to safe drinking water as part of binding international law. The UN general assembly recognised the human right to sanitation as a distinct right in 2015 and in 2018 the Human Rights Council reaffirmed that:

- The human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use; and
- The human right to sanitation entitles everyone in all spheres of life and in all settings, without discrimination, to have physical and affordable access to sanitation that is safe, hygienic, secure, socially and culturally acceptable, and provides privacy and ensures dignity.

“Lack of access to safe, sufficient and affordable water, sanitation and hygiene facilities has a devastating effect on the health, dignity and prosperity of billions of people, and has significant consequences for the realization of other human rights,” according to the UN. States have a duty to guarantee the rights to water and sanitation equally and without discrimination.⁵

In his message for the IV annual World Day of Prayer for the Care of Creation on 1 September 2018, Pope Francis underlined that “access to safe drinkable water is a basic and universal human right, since it is essential to human survival and, as such, is a condition for the exercise of other human rights.”

He made clear that access for many people is either difficult or impossible, and he highlighted an urgent need for “shared projects and concrete gestures that recognize that every privatization of the natural good of water, at the expense of the human right to have access to this good, is unacceptable.”⁶

EU foreign policy also recognises the human right to water. The European External Action Service (EEAS) is the EU’s diplomatic service and helps carry out its common foreign and security policy. As the world’s water resources and ecosystems deteriorate, and the threat of water scarcity spreads, tensions and conflicts over access to water have increased. EU foreign ministers recognised water as a foreign policy issue in 2013 and in November 2018 the foreign

A European Citizen's Initiative is a European tool for participatory democracy and allows citizens to ensure an issue is on the European political agenda. At least seven people from seven different EU member states must form a citizens committee and they must collect one million signatures from at least seven different EU states.

affairs council adopted new Conclusions on EU Water Diplomacy.⁷

The Conclusions recognise the potential for water to affect international peace and security and stress the importance of transboundary water cooperation and governance. They also highlight the EU's commitment to the human right to safe drinking water and sanitation and make the link between water – particularly water savings – and the Circular Economy: "The EU stresses the significant contribution of the Circular Economy to water savings including by re-use... and encourages the Commission and EU Member States to finance and incentivise research and partnerships on water innovation, involving public and private stakeholders."⁸

Despite these commitments, around two million people across Europe do not have suitable water or sanitation and many people with low incomes are threatened with disconnection if they cannot afford to pay their bills.⁹

In 2013, the greater Paris area carried out a detailed assessment of access to water and sanitation and identified access problems for groups including homeless people and nomadic communities. It also identified the main challenge was to avoid disconnection for people who cannot afford to pay for the service.¹⁰ The European Roma Rights Centre (ERRC) says Roma in Europe face "an access to water crisis" (see Box 1).¹¹

The Right2Water European Citizens Initiative (ECI) has succeeded in putting the human right to water and sanitation on the European political agenda.¹²

Initiated by EPSU in 2012, it collected nearly two million signatures, of which more than 1.68 million were validated, calling on the EU to set binding targets for all member states to achieve 100% coverage of water and sanitation services in Europe. It also demanded the EU make more effort towards achieving universal access to water and sanitation outside the EU.

Before the initiative, the ECI underlines that the EU's main aim was to create a single market in goods and services.

"But water services are different," the ECI explained. "They are essential for life and water is a limited natural resource. Water is not a commodity but a public good that must be safeguarded, not opened up for competition. The human right must be central in water policy, not competition or the completion of the internal market."

The initiative also made clear that governments are obliged to provide these services. They must implement the human right to water and sanitation and not leave these services to market forces. The only way they can ensure access to water and sanitation is guaranteeing this in law.

The ECI called on the European Commission to focus on ensuring water and sanitation for all European citizens and to adopt a public service attitude and rights-based approach instead of its current market-based approach. It received broad political support in the run up to the 2014 European Parliament elections, with four out of five candidates for European Commission President committing to implementing the human right to water.¹³

As a direct result of the Right2Water ECI, in December 2020 the European Parliament adopted the recast Drinking Water Directive.¹⁴ This includes a new Article 16 on access to water intended for human consumption.

The European Commission says the new directive will guarantee safer access to water for all Europeans and ensure the highest standards in the world for drinking water. It introduces the obligation for Member States to improve or maintain access to safe drinking water for all, with a focus on vulnerable and marginalised groups. It came into force on 12 January 2021 and Member States have two years to comply with the revised Drinking Water Directive.

EPSU believes the recast Directive is a small step in the right direction to guarantee vulnerable people have access to drinking water. However, there is too much scope for Member States not to implement the provisions it stipulates, and it should also explicitly recognise the human right to water.

Box 1: The human rights risks of private provision of water and sanitation

In October 2020, the UN Special Rapporteur on the human rights to safe drinking water and sanitation, Léo Heller, challenged the traditional approach that human rights are neutral when it comes to the type of water and sanitation provider. He identified three factors that shape the human rights risks of private provision of water and sanitation: profit maximisation, natural monopoly, and power imbalances.

He set out that:

- the imperative of private providers to make as much profit as possible can undermine States' obligation to provide affordable water and sanitation services to all;
- in a natural monopoly environment of the water and sanitation sector with only one provider, regulatory bodies are more exposed to capture by providers, and the capacity of regulators to protect the human rights to water and sanitation can be weakened; and
- power imbalances in the water and sanitation sector exacerbate the two factors above.

He noted that “when for-profit businesses are in the picture, economic motivations may outweigh the motivation to fulfil the standards of the human rights to water and sanitation”.

In certain cases, he added, stringent human rights requirements may be an incentive for private operators not to invest in certain areas. As a result, countries could feel pressured to lower standards or weaken regulation¹⁵.

2. People want water services to be public services

Water used to be seen mostly as a public service and a common good. However, since the 1990s it has increasingly become a commodity. Water companies have become financial assets for global private investment instead of companies with the primary purpose of delivering equitable and affordable basic services. Returns to shareholders have become more important than the investments in infrastructure needed to deliver these services.¹⁶

As the Right2Water ECI sets out, proponents of a market approach to providing public services always promise cheaper and better services. In reality this means cheaper and better services for the rich but worse and more expensive services for the poor.


The main goal of private companies is to make profits. They focus on providing a service where it is most profitable, for those who can most afford it. At the same time, they neglect areas where services are not profitable and those who are in the most need. A market for water services means “No money, no water”.¹⁷

In a 2018 report on poverty and human rights, the United Nations (UN) concluded that: “Privatisation often involves the systematic elimination of human rights protections and further marginalisation of the interests of low-income earners and those living in poverty.”¹⁸

As water privatisation has progressed on a global scale, so have the experiences of its failure. Making profit out of water has had detrimental consequences for people and the environment.¹⁹ As a result, there is growing public resistance to privatisation and increasing support for water services to be run as public services, including by public companies, local and regional governments and authorities, and to some extent by citizen-led initiatives (see Section 4). In the UK, for example, 83% of the public support the public ownership of water.²⁰

In 2008, several groups including EPSU set up the European Network for Public Water. The pan-European network brought together water activist groups, networks and movements to push back against water privatisation in Europe.²¹ It agreed a manifesto setting out a series of demands, including the following:

- A commitment to water as a human right;
- The exclusion of trade and liberalisation of water services from international trade agreements;
- For water to remain a public service;
- The promotion of investment in public-public partnerships (PuPs) to ensure safe and sustainable water; and
- Improved working conditions in water companies and for workers to be part of democratic decision-making processes.²²



Public-public partnerships (PuPs) are distinct from Public-Private Partnerships (PPPs). They are a collaboration between two or more public partners to improve the capacity and effectiveness in providing public services. PuPs can be between countries, between different municipalities or cover different public services in one municipality. Based on solidarity and a commitment not to make private profits, PuPs are peer relationships forged around common values and objectives.²³

Box 2: The water crisis faced by Roma people in Europe

EPSU and the European Roma Rights Centre (ERRC) called on the European Commission to act on the demands of the European Citizens' Initiative Right2Water after a 2017 ERRC study, *Thirsting for justice – Europe's Roma denied access to clean water and sanitation*, confirmed that Roma are denied access to water and sanitation.²⁴

Large numbers of Europe's Roma continue to be denied or disadvantaged in their access to safe drinking water and sanitation. In 2020, for example, the European Roma Rights Centre (ERRC) highlighted two legal cases.

Slovenia was the first European nation to make access to drinkable water a fundamental right in 2016.

"Despite this, access to water is not guaranteed in practice for all Slovene citizens, particularly not if they are Roma," the ERRC commented in March 2020 after the European Court of Human Rights rejected the first ever right-to-water case to be brought before it, concerning a Romani community in Slovenia.

"Romani people who are forced to defecate in the open and walk a kilometre to drink polluted water" were told by judges that they "have not sufficiently proved that their situation is damaging their health and violating their human dignity"²⁵.

In June 2020, the ERRC reported that after a five-year-long legal battle, two Roma who were evicted from their homes in Belgrade, Serbia and placed in an abandoned warehouse without access to water, sanitation, or electricity were awarded compensation by the Belgrade Court of Appeal. A third litigant died in the years awaiting the court's decision²⁶.

3. Good economic reasons for water services to be in public hands

Inefficiency of PPPs

Governments across the globe and international bodies continue to encourage the privatisation of public services. Organisations including the European Commission promote neoliberal, market-led approaches to public service provision, a vision of minimalist state intervention, and reform of the public sector because of its alleged inefficiencies. Privatisation in the form of public private partnerships (PPPs) are especially widespread.²⁷

However, a major review of hundreds of academic studies revealed that there is no empirical evidence that the private sector is intrinsically more efficient than the public sector.

The 2019 report for EPSU by the Public Services Privatisation Research Unit (PSIRU) at the University of Greenwich, *Public and private sector efficiency*, challenges the assumption that privatisation or PPPs can always deliver the same level and quality of service with lower costs than the public sector.²⁸

The research examines evidence from nine sectors, including water. The results consistently undermine the case for privatisation and outsourcing. In the case of PPPs in particular, the report points out that private sector borrowing costs are invariably higher than those in the public sector. The private sector option therefore needs to deliver even greater efficiency savings to cover those costs, deliver profits to shareholders, and still guarantee service levels in terms of quantity and quality.

It points to a 2008 systematic global literature review on all aspects of efficiency in water supply. This concluded that “there is no hard evidence which points to a causal relation between management ownership and efficiency”.

A 2010 international review, analysing 27 empirical studies on comparative efficiency in water and waste management in various countries, concluded that “private production of local services is not systematically less costly than that of public production”.

A comprehensive study of water supply services in France, where around three-quarters of the service is delivered by the private sector through concessions or lease contracts, found that in 2004, after making allowance for all other factors, the price of water provided by private companies is around 17% higher than in places where municipalities provide the service.

And a series of UK studies found there has not been any significant improvement in productivity performance since privatisation. A 2007 report concluded that: “after privatisation, productivity growth did not improve ... average efficiency levels were actually moderately lower in 2000 than they had been at privatisation [in 1989].”

In December 2020, EPSU and the Eurodad civil society network launched a report on the broken promises of public private partnerships (PPPs).²⁹


The report, *Why public-private partnerships (PPPs) are still not delivering*, identified eight main reasons why PPPs are not working:

1. PPPs do not bring new money – they create hidden debt;
2. Private finance costs more than government borrowing;
3. Public authorities still bear the ultimate risk of project failure;
4. PPPs do not guarantee better value for money;
5. Efficiency gains and design innovation can result in corner-cutting;
6. PPPs do not guarantee projects being on time or on budget;
7. PPP deals are opaque and can contribute to corruption; and
8. PPPs distort public policy priorities and force publicly run services to cut costs.

It highlighted a number of examples PPPs in the water and wastewater sectors, including the following:

- The improved Dublin Regional Wastewater Plant which opened in 2003 and brought benefits for the Irish Sea. However, persistent odours affected local residents for several years due to the use of unproven technology and incorrectly specified odour limits in the contract. The plant also proved from day one to be undersized compared to the actual amount of wastewater it has to treat, partly as a result of failure to take commercial premises properly into account when planning. Dublin City Council paid €35.6 million to Celtic Anglian Water to try and fix the problems;

- The European Bank for Reconstruction and Development (EBRD) financed Zagreb Wastewater Treatment Plant in Croatia, where there was “excessive profitability”;
- The Berlin water PPP, where the contract signed by Berlin and the two water companies (RWE and Vivendi (Veolia)) in 1999 was confidential and not even the German parliament could view the contract. The contracts were later made public and revealed that private providers had been guaranteed an eight per cent return on equity; and
- Veolia subsidiary Apa Nova in Romania, which showed how pressure to deliver public services and profits can result in corruption.



A March 2018 European Court of Auditors report concluded that EU co-financed PPPs “cannot be regarded as an economically viable option for delivering public infrastructure”. The PPPs it audited suffered from widespread shortcomings and limited benefits, resulting in €1.5 billion of inefficient and ineffective spending. Value for money and transparency were widely undermined particularly by unclear policy and strategy, inadequate analysis, off-balance-sheet recording of PPPs and unbalanced risk-sharing arrangements.³⁰

Exclusion of water from the concession regime

In 2013, the European Commission excluded provision of water services from the Directive on the awarding of concession contracts, as a direct result of public concerns.³¹ This was a victory for EPSU, which warned the Directive was a new attempt to privatise water by contributing to an increased use of PPPs, and consequently to a growth in the number of failed PPPs.³²

Article 12 of Directive 2014/23/EU sets out specific exclusions in the field of water. It excludes from the directive concessions awarded to provide or operate fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or to supply drinking water to such network.

Article 53 requires the Commission to assess the economic effects of the exclusions set out in Article 12 on the internal market, taking into account the specific structures of the water sector, and report back to the European Parliament and the Council by 18 April 2019.

The Commission has started the review foreseen in the Directive. EPSU’s position is that nothing has changed for the water sector to be included. The explicit exclusion of water services from the concessions directive and from trade negotiations is a long-standing demand the European Parliament has supported.³³

Box 3: UN expert expresses concerns about the world's first futures market in water

In December 2020, a UN expert on water and human rights said he was very concerned about the creation of the world's first futures market in water, as it could invite speculation from financiers who would trade it like other commodities such as gold and oil.

His comments followed the CME Group's launch of the world's first water futures contract for trading. This aims to help water users manage risk and better balance the competing demands for water supply and demand amidst the uncertainty that severe droughts and flooding bring to the availability of water. The new water futures contract allows buyers and sellers to barter a fixed price for the delivery of fixed quantity of water at a future date.

But the UN Special Rapporteur on the human rights to safe drinking water and sanitation Pedro Arrojo-Agudo said: "You can't put a value on water as you do with other traded commodities."


"Water belongs to everyone and is a public good. It is closely tied to all of our lives and livelihoods, and is an essential component to public health," he added. "Water is already under extreme threat from a growing population, increasing demands and grave pollution from agriculture and mining industry in the context of worsening impact of climate change."

As well as farmers, factories and utility companies looking to lock-in prices, such a futures market could also lure speculators such as hedge funds and banks to bet on prices, repeating the speculative bubble of the food market in 2008.

"In this context, the risk is that the large agricultural and industrial players and large-scale utilities are the ones who can buy, marginalizing and impacting the vulnerable sector of the economy such as small-scale farmers," said Arrojo-Agudo³⁴.

4. Fighting back to reclaim public water

As water privatisation has progressed on a global scale, so have the experiences of its failure, according to *Taking our public services back in house*, a PSI global public services union analysis of 50 remunicipalisation case studies.³⁵ An accompanying compendium includes 12 water remunicipalisation cases, including five in France, Germany and Italy.³⁶

 Remunicipalisation means the return of public services from private control and/or ownership in any form to full public ownership, management and democratic control. It involves municipalities and regional governments taking back privately owned and/or managed services that are commissioned, under concession, or funded by public bodies.

Making profit out of water has had detrimental consequences for people and the environment, and water sector remunicipalisation has grown rapidly on a global scale over the last two decades, and is gaining strength, PSI reports. In 2000, only two cases in two countries were recorded, but by 2019 there were 311 cases across 36 countries.³⁷ France, the country with the longest history in water privatisation and home of the two leading water multinationals, Suez and Veolia, has recorded the most water remunicipalisations.³⁸ The water sector in France has seen a wave of remunicipalisations since 2000, including large cities including Paris (see Box 4), Rennes, Grenoble, Nice and Montpellier.³⁹ Paris and Rennes have introduced innovative partnerships with the farming sector to protect water catchments, encourage the shift to organic production, and create new markets for them through procurement and public labels.⁴⁰

In Spain, the number of remunicipalisations has more than doubled since 2017, with 38 water remunicipalisations. Water remunicipalisation in Terrassa, for example, is leading to new forms of democratic decision-making. With the support of civil society, the city created a Water Observatory so users can participate in public management. Valladolid has saved €13.3 million since water remunicipalisation in 2017, almost four per cent of the municipal budget for 2018.⁴¹

Common reasons for remunicipalising public services include:

- Dysfunctional company operations – including poor company performance and poor service quality; private company withdrawal from contracts or failure to provide the contracted service; and bankruptcy of contractors;

- Lack of control of public services – lack of control over service delivery and inability to fix problems once the service is privatised; and the unwillingness of contractors/private providers to go beyond the strict contract terms to service communities;
- Impact on workers and service users – under-investment in service resources, staff and infrastructures; soaring bills for users; unequal service delivery (servicing of profitable users and areas, disregard of non-profitable users and areas); lack of social and/or environmental sustainability including poor working conditions, job cuts and pollution;
- Lack of transparency and accountability – lack of transparency in service price charges; fraud and conflict of interest; and disputes between private providers and contracting institutions over operational costs and price increases.⁴²

Instead of further enriching the shareholders, when public services are publicly operated the surpluses can be:

- reinvested to expand the service infrastructure;
- used to improve the quality of the service and working conditions;
- used to lower charges; and
- reinvested to address climate change.⁴³

Box 4: Eau de Paris – the remunicipalisation of water in Paris

The municipality of Paris decided to take water management back into public hands in 2010. This resulted in a diverse, democratically elected board, tariffs dropping by eight per cent, 1,200 drinking water fountains installed across the city, and support for people struggling to pay their water, energy and housing bills.

In 2017, the public water company, Eau de Paris, received the prestigious United Nations Public Service Award in recognition of its work on accountability, transparency and integrity. It is also committed to reducing the social and ecological footprint of its water production and distribution activities and is a pioneer in water catchment protection policies.

“Paris is a significant model for remunicipalisation, with the introduction of ground-breaking democratic accountability mechanisms, an emphasis on access to water for all, including homeless people and migrants, and adaptation to climate change – while keeping prices lower than they were before remunicipalisation,” according to the May 2020 TNI Transnational Institute report, *The Future is Public: Towards Democratic Ownership of Public Services*.

Remunicipalisation led to cost savings and greater efficiency through improved coordination, less sub-contracting, cutting profits to shareholders and more accountability.

Since water services in Paris were re-municipalised in 2010, Eau de Paris has been able to make efficiency savings by reducing the cost of sub-contracts, by rationalisation and merger of previously separate functions, by eliminating the profit margins of the private companies, and by overall improvements in coordination and planning. Bringing call-centres in-house saved €2 million per year, for example. These efficiency savings were used to finance investments and a sustainable wages bill, as well as reducing the price of water by eight per cent. The city has also created a set of mechanisms to ensure it is constantly responsive to its public objectives, including a long-term “contract of objectives” with the city council, an independent observatory for public participation in debates, and a consultative committee for representative bodies.⁴⁴

For more information see: <https://www.epsu.org/article/public-and-private-sector-efficiency> and <https://www.epsu.org/article/new-book-released-remunicipalisation>.

5. Progressive public water management – an alternative model to privatisation

EPSU has developed a set of criteria for progressive public water management.⁴⁵ These are based on the belief that water is a common good, that access to water is an inalienable human right, that water cannot be privatised or commercialised, and that water management must be public and community based. The criteria are:

Good quality – Water is fundamental to life. It is essential for hygiene, nutrition and health and must be high quality;

Sustainability and ecological planning – In a world where water scarcity will become a reality, good water resources management is essential in guaranteeing the right to water for future generations. Preserving natural water resources and water cycles in water catchments, and avoiding pollution and distortions of fragile eco-systems includes good sewage management and wastewater treatment. Good quality public water resources management must be a key component of climate adaptation policies and sustainability must be an underlying principle for all water and sewage companies;

Universal Service – Everyone must have equal access to safe and appropriate water and sanitation services and the disconnections of private households must be illegal;

Effectiveness in meeting needs – Public water companies' efficiency should be measured not by achieving the highest possible profit with the lowest cost but by their ability to meet people's needs and assure other elements of public interest. What these needs and public interests are, and how they can be met, must be discussed, defined and evaluated in participatory democratic processes;

Social – People have different financial resources and a water tariff based only on consumption leads to unequal burdens. Progressive water management must develop mechanisms to ensure that people have equal access to water, regardless of their social status, while ensuring that no-one can use water irresponsibly because they have the money and power to do so;

Solidarity – Water companies should not be concerned only with the situation in their own geographical area, but should help, within their capabilities, to develop or improve water and sewage services in other places;

Good working conditions – Employees are critical for the development and improvement of high-quality services. They must have good working conditions, benefit from high health and safety standards, and be allowed to have long-term goals and to adopt new ideas and societal needs in their work. They must be fully integrated into public discussions on the development of their services;

Democratic structures and control – The structures and practices of water companies must be democratic and fully transparent with democratic mechanisms to guarantee that everyone can take part in decision making and control of all water issues; and

Progressive legislation – Water governance must protect the public character of water services; recognise the human right to water in constitutional and legislative forms; and protect water and sanitation services and water resource management from liberalisation, privatisation and commercialisation. Water governance must assure public finance and feature both public and workers' participation.

Box 5: Blue Communities

The Blue Communities Project in Canada encourages municipalities and Indigenous communities to support the idea of a “water commons framework”, recognising that water is a shared resource for all, by passing resolutions that:

Recognise water and sanitation as human rights; ban or phase out the sale of bottled water in municipal facilities and at municipal events; and promote publicly financed, owned, and operated water and wastewater services.

The Council of Canadians, the Blue Planet Project and the Canadian Union of Public Employees (CUPE) initiated the Blue Communities Project in 2009. The Blue Communities movement has grown internationally with Paris, France, Bern, Switzerland and other municipalities around the world going “blue.”

For more information see: <https://canadians.org/bluecommunities>



6. Conclusions

In 2017, the European Institutions signed the EU Pillar of Social Rights setting out the commitment of member states and the EU to develop a Social Europe. Principle 20 states that everyone has the right to access essential services of good quality, including water. Support for access to such services shall be available for those in need.

This provides a new opportunity to make the crucial step to guarantee the human right to water and sanitation. As the UN rapporteur has said, such rights are best ensured when water services are public services.

The Right2Water ECI and the European Parliament's response in adopting the recast drinking water directive with a new article have underlined the fact that Europe's people want to enshrine the human right to water and sanitation in EU legislation.

Europe's trade unions are demanding a social action programme including legislative proposals to implement the Pillar. Following the Commission's recent publication of its Action Plan to support the implementation of the Pillar, including Principle 20, EPSU has planned a series of political actions to push its demands for:

- The human right to water and sanitation in practice for all European citizens in the future;
- A ban on the disconnection of users' water supply;
- The European Parliament to enshrine the "water is not a commodity" principle in all EU water and water-related policies; and
- The progressive public management of water and sanitation.

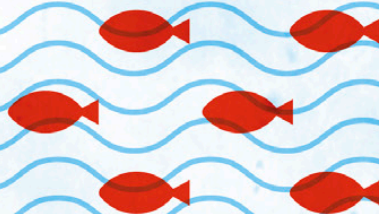
Box 6: Parallel EPSU initiatives

EPSU will also use the opportunities presented by the European Commission's Circular Economy Action Plan, the European Green Deal and the new Adaptation Strategy for Climate Change to push forward these demands.

EPSU supports the concept of the circular economy to prevent and reduce waste, and if not possible to reuse, share, recycle and recover, as long as it involves safe and decent work.⁴⁶ The Commission adopted its circular economy action plan in March 2020. This includes a commitment to strictly monitor and support the implementation of the requirements of the Drinking Water Directive to make drinkable tap water accessible in public places, reducing dependence on bottled water and preventing packaging waste.⁴⁷

EPSU welcomed the European Green Deal as a holistic response to the climate emergency.⁴⁸ However, the deal must include the right to water and improved health and safety measures for workers in the waste-water sector.⁴⁹ The Commission's ambitious climate plans will only be achieved through a just transition for workers and communities, public investment and public ownership⁵⁰.

The European Commission adopted a new EU strategy on adaptation to climate change on 24 February 2021. This sets out the pathway to prepare for the unavoidable impacts of climate change, including devastating droughts and water shortages. It recognises that access to drinking water is a basic human need, that climate change threatens water quality, and that a stable and secure supply of drinking water is of highest importance and must be guaranteed.⁵¹

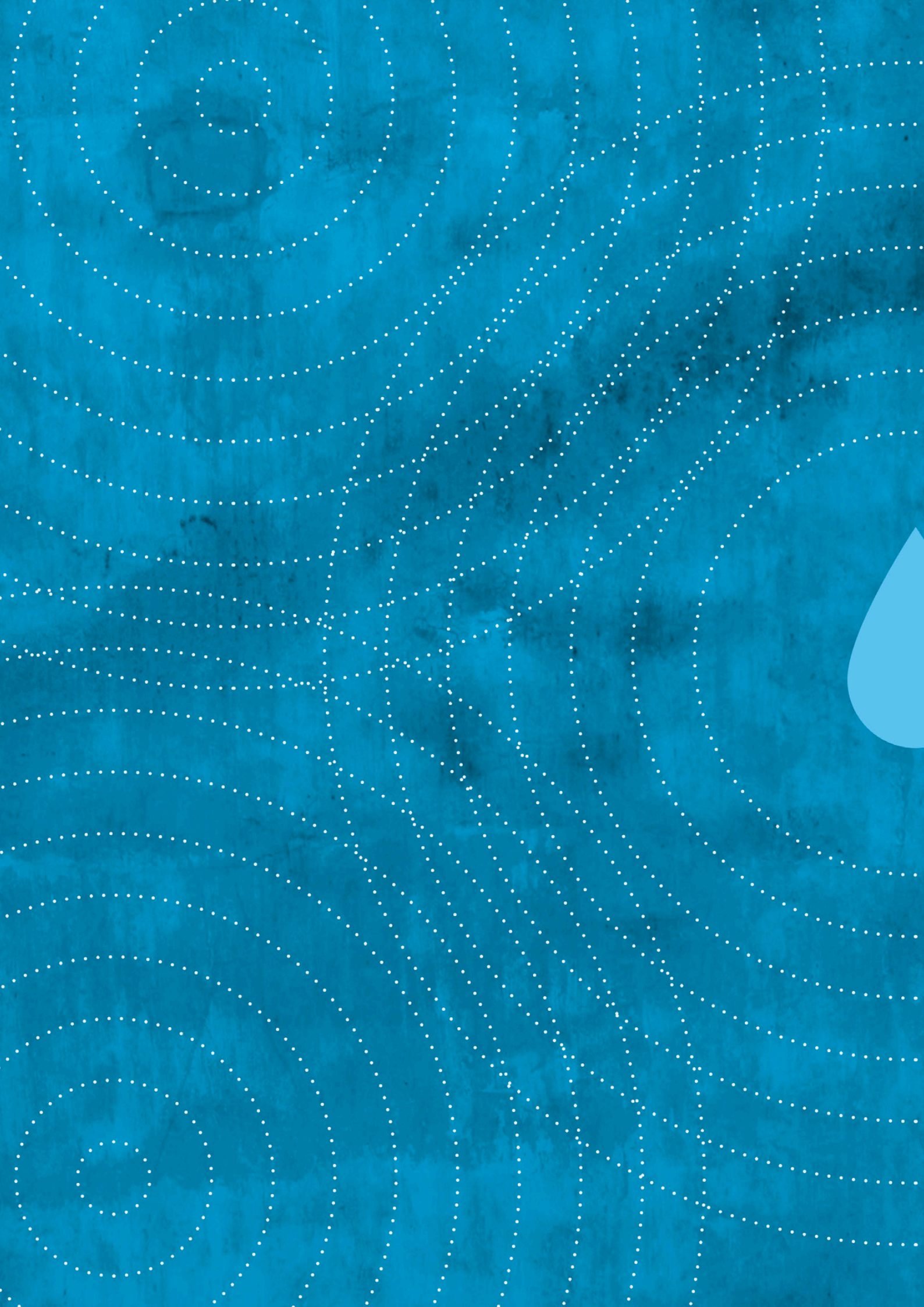


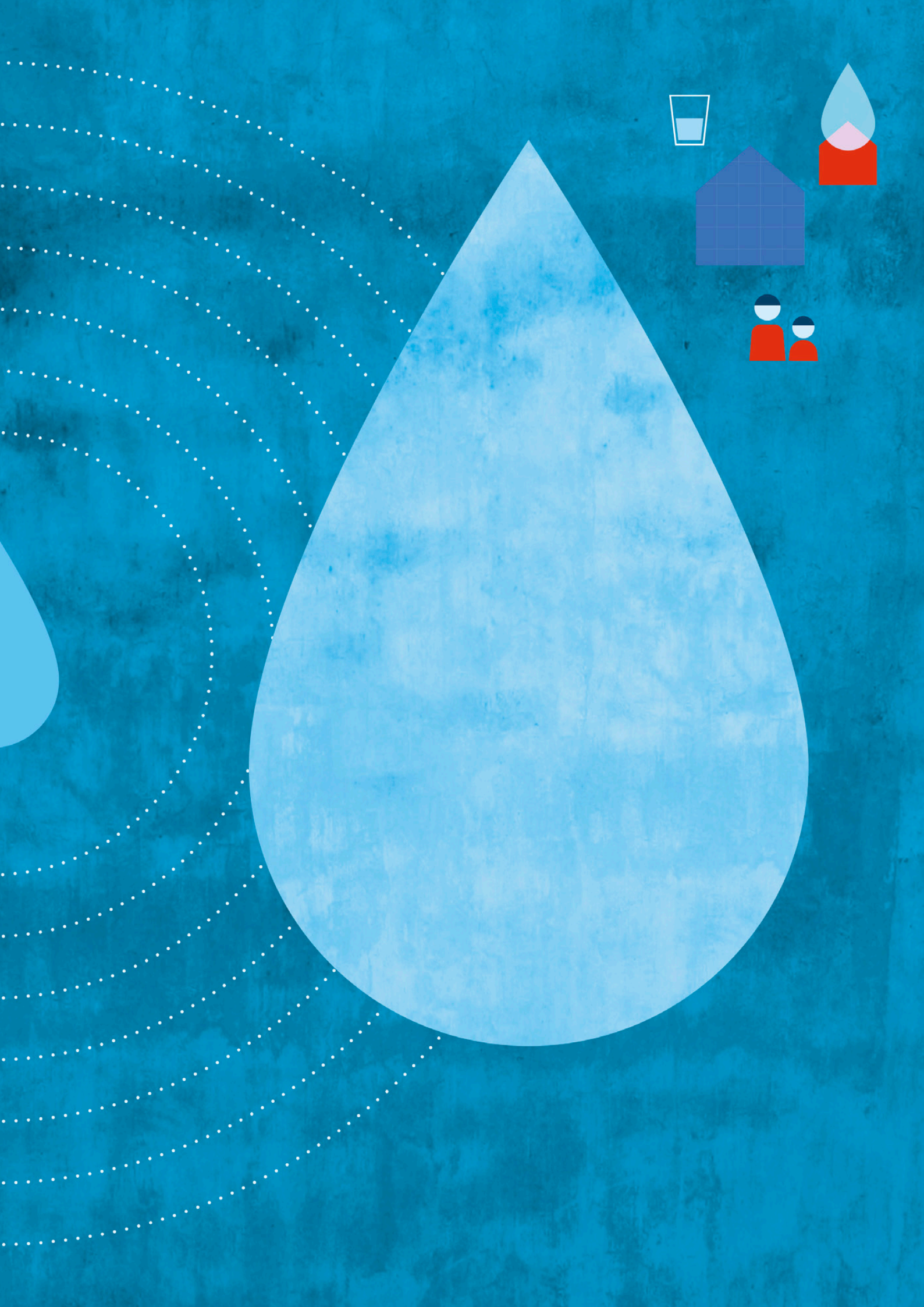
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EPSU is the **European Federation of Public Service Unions**. It is the largest federation of the ETUC and comprises 8 million public service workers from over 250 trade unions across Europe. EPSU organises workers in the energy, water and waste sectors, health and social services and local, regional and central government, in all European countries including the EU's Eastern Neighbourhood. It is the recognised regional organisation of Public Services International (PSI).

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