



# Background note on Right2Water European Citizens' Initiative

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**The European Parliament is holding a public hearing on Monday 17 February on the universal right to clean water, the first such hearing under the European Citizens' Initiative, which enables the public to ask the EU authorities to table new legislation, provided the initiative is backed by one million people across seven member states.**

This hearing, organised by Parliament's environment committee in association with the petitions, internal market and consumer protection and development committees, follows the registration of the initiative by the European Commission on 20 December 2013. It will provide a platform for debate with MEPs, the leaders of the 'Right2Water' initiative and European Commission representatives.

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# Background

## "Right2Water" initiative

This is the first ECI to meet the formal requirements and be signed by enough EU citizens. The organisers have gathered almost two million signatures calling on the Commission to draw up legislation to ensure that all citizens are provided with sufficient and clean drinking water and sanitation. They urge that:

1. the EU institutions and Member States should be obliged to ensure that all inhabitants enjoy the right to water and sanitation,
2. water supply and management of water resources should not to be subject to EU "internal market" rules and water services should be excluded from liberalisation, and
3. the EU should step up its efforts to achieve universal access to water and sanitation.

# Background

## Which citizens most actively supported the "Right2Water" initiative?

The leaders of the initiative submitted 1,659,543 signatures in its support. The numbers of signatures exceeded the required threshold in 13 member states.

Country	Number of signatures	Minimum number of signatories required
Austria	57,643	14,250
Belgium	40,549	16,500
Finland	14,589	9,750
Germany	1,236,455	74,250
Greece	33,220	16,500
Hungary	18,245	16,500
Italy	65,223	54,750
Lithuania	13,252	9,000
Luxembourg	5,566	4,500
Netherlands	21,469	19,500
Slovakia	20,988	9,750
Slovenia	17,546	6,000
Spain	58,051	40,500

# Background

## "Right2Water" and the European Parliament

Water "is a shared resource of humankind and a public good. Access to water should constitute a fundamental and universal right", says a European Parliament resolution, drafted by Richard Seeber (EPP, AT) and voted in July 2012. This resolution calls on the European Commission and EU Member States to ensure that access to potable water and sanitation is guaranteed as a fundamental human right which is essential for the full enjoyment of life. Another EP resolution on the Millennium Development Goals (June 2013, rapporteur Filip Kaczmarek (EPP, PL)) stresses the importance of universal access to safe drinking water and sanitation in the fight against poverty.

MEPs also spoke out on the water liberalisation issue when they voted resolutions on services of general interest and on the internal market strategy in 2004. Water is a "shared recourse of mankind", so "the management of water resources should not be subject to the rules of the internal market" and "Liberalisation of water supply should not be carried out in view of the distinctive regional characteristics of the sector and local responsibility for provision of drinking water", they said.

MEPs also rejected efforts to introduce sector-specific single market legislation in the areas of water and waste disposal.

The European Parliament, the Council of Ministers and the European Commission all acknowledge the special nature of water as a public good. After intensive three-way talks, they agreed to *exclude* it from the scope of a directive on the award of concession contracts before Parliament voted for it on 15 January 2014 (rapporteur Philippe Juvin (EPP, FR)).

The concession contracts directive laid down minimum EU requirements for the award by public authorities of concessions for the performance of works or the supply of services from private suppliers, who assume the risk of these works or services. These contracts are typically high-value, complex and long-term.

The three parties agreed at the time that the concession contracts directive "does not require the privatisation of public enterprises providing services to the public". Member states therefore remain free to decide how they want public works or services to be performed – in-house or outsourced to private companies.

# Background

## What is European Citizens' Initiative?

The European Citizens' Initiative (ECI) tool, in place since 1 April 2012, enables citizens to help shape EU policy and laws. Put in place by the Lisbon Treaty, an ECI enables one million citizens from at least a quarter of the EU Member States (7 out of 28) to ask the European Commission to propose legislation in areas that fall within its competence.

The organisers of an ECI - a citizens' committee composed of at least 7 EU citizens, resident in at least 7 different Member States - have one year to gather the necessary support. Signatures must be certified by the competent authorities in each Member State. Organisers of successful initiatives are invited to take part in a hearing at the European Parliament. The European Commission then has three months to examine the initiative and decide how to act upon it.

# Background

## What is the difference between an ECI and a petition?

The right to petition the European Parliament, which already existed under previous EU treaties, differs substantially from the European Citizens' Initiative (ECI) introduced by the Lisbon Treaty.

- Petitions are addressed to the European Parliament in its role as the direct representative of citizens at EU level. An ECI, by contrast, enables citizens to call directly on the European Commission to table new proposals for laws - if they have sufficient support across the EU.
- Petitions need not be backed by a minimum number of signatures or a minimum geographical spread of support in multiple EU countries.
- Petitions may be submitted by EU citizens as well by natural or legal persons residing or having their registered office in a member state, either individually or in association with other citizens or persons.

# Background

## Examples of ECIs already under way

European Citizens' Initiatives have been launched to achieve the following aims:

- to ensure that EU citizens residing in another Member State are given the right to vote in all political elections in their country of residence ("*Let me vote*"),
- to prohibit, prevent and pre-empt Ecocide, the extensive damage to, destruction of or loss of ecosystems ("*End Ecocide in Europe*"),
- to impose a 30km/h EU-wide default speed limit for urban/residential areas ("*30 km/h - making the streets liveable!*"),
- to enable all European citizens to participate in European politics ("*Central public online collection platform for the European Citizen Initiative*"),
- to suspend the 2009 EU Climate & Energy Package until a climate agreement is signed by major CO2 emitters - China, USA, and India ("*Suspension of the EU Climate & Energy Package*"),
- to phase out animal experiments ("*Stop vivisection*"), and
- to provide legal protection for dignity ("*One of us*").

# Background

## Next steps

After consulting the authors of the initiative in a public hearing and examining it carefully, the European Commission will give a formal response, by 20 March 2014, spelling out what action it intends to take, if any, and its reasons. This response, which will take the form of a communication, will be formally approved by the College of Commissioners and published in all official EU languages.

If the Commission decides to put forward a legislative proposal in response to a citizens' initiative, the formal legislative procedure kicks off. The Commission proposal is submitted to the legislator (the European Parliament and the Council, or in some cases only the Council), which will need to approve it for it to become law.