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## ***Water is a human right***

### **Water is a human right**

A currently discussed draft directive is concerned with the provision of water, as well as social and other services, to all EU citizens. We urge actors on all levels of politics to guarantee straightforward, non-discriminatory, universally accessible and high quality access for all citizens.

### **Bad experiences with privatization need explanation**

In the current debate, the draft directive on the award of concession contracts is accused of aiming to ease privatization and to intensify competition of local public with private suppliers. Indeed, a majority of public service providers (“Stadtwerke”) in Germany which are currently organized in a private legal form would have to either return to full state ownership and a public legal form, or become fully privatized. Hence we call upon European law makers to eliminate all language from the draft directive which suggests the facilitation of forced privatization. However, we do not regard the permission and rule-setting for (partial) privatization in and of itself as a contentious issue in this draft directive - as long as it is consented to by citizens and their representatives. In cases of partial privatization, internal market rules have to be applied, starting from a threshold which must not be overly restrictive in definition. In the majority of researched cases, privatization of the water supply is shown to result in increases in water prices, whilst simultaneously quality diminishes and upkeep is neglected. The concession to supply a local community with water is a monopoly for a specific period of time. A market only exists during the awarding of a concession. At present, therefore, one can expect further privatization to damage our aims rather than support them. Those aiming for privatization should investigate what kinds of checks and balances would need to be implemented in order to overcome the negative side effects.

### **No forced privatization in ESM program countries**

Guaranteeing the supply of water as a human right attributes it with special meaning. For this reason it would be wrong for the Troika consisting of the EU Commission, the European



Central Bank and the International Monetary Fund to force the public enterprises responsible for water supply to be privatized. The status as a human right should protect this public property from being sold off against the will of a majority of affected citizens. Yet, should the majority of citizens decide to carry out the realization of this human right in private legal form, they should be free to do so.

### **Initiative by the citizens**

The process leading towards realization of this directive is accused of a lack of transparency and almost secrecy. However, since all intentions and drafts are publicly available within the usual legal procedures, and since the draft directive is dealt with in the usual legislative processes, it could lead to a European Citizens Initiative against water privatization. JEF welcomes how the public debate makes good use of the instrument of the European Citizen Initiative. In this way, whether through a signature on paper or online, citizens can take up a position and call the EU Commission to action as they see fit. However, the concrete text of this ECI, available at <http://www.right2water.eu>, does not find a majority within JEF.