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**MEP Malcolm HARBOUR**

Parlement Européen  
Rue Wiertz, ASP 07F343  
B-1047 Bruxelles

Berlin, 16 July 2010

### **Ensure that Water remains Public – Monitor the Commission's Water Policy**

Dear Mr Harbour,

*AQUATTAC* is the European Water Network of Attac. We aim to secure that water is a human right, and a public good that should not be privatized. We approach you as a Member of the European Parliament and as Chair of the Internal Market and Services Committee as we are worried about several statements by the European Commission and would like to ask the attention of Members of the European Parliament on these matters.

Firstly, President Barroso in his September 2009 Political Guidelines wrote: "We can do more to open up the market for ... environmental services". As such wording could imply an inclusion of the water sector, we wrote to Mr Barroso to get clarification. In his answer from 27 January 2010, Mr Barroso gave no clarification at all and, instead, asked Mr Gammeltoft (Head of Unit at DG Environment) to explain us the EU legal framework for water services, which seems like an attempt to avoid an open debate about these important matters.

Secondly, Commissioner for the Internal Market and Services Michel Barnier in his EP hearing on 13 January 2010 said, in response to a question by MEP Rühle asking whether he was considering including water in his stated legal initiative on concessions: „I cannot see for the moment ... though I might have to think more about that why I should treat water differently concerning concessions, the same applies to waste or wastewater.“ The Parliament has recently voted the latest Internal Market Committee report on public procurement that explicitly dismisses the idea of developing a new legislative initiative on concessions, but we hear that the Commission still intends to proceed with such an initiative and that certain French water companies are the main force driving this misguided push.

Thirdly – and not the least worrisome – Commission spokesperson Joe Hennon in his presentation of the latest Commission's report on water scarcity and droughts in Europe (18 May 2010) claimed: "We consider water to be a commodity, like anything else." This is not only contradictory to the EU water framework directive but nothing less than a scandalous statement, either the mistake of someone badly briefed on this policy field or a sign that the Commission has decided to ignore that water is a particular good.

The European Parliament often played a positive and progressive role in protecting water as a public good against liberalization. We therefore hope that you will have an eye on what the commission is planning and ask you to:

- Ask Commission President Barroso and Internal Market Commissioner Barnier to detail their policy intentions in the water sector and commit to not pursue a water privatization push.
- Ensure that water remains “not a commercial product like any other but, rather, a heritage which must be protected, defended and treated as such.” (EU Water Framework Directive).
- Ensure that municipalities can operate their own water and wastewater services by their own public companies or public-public partnerships without any public tendering of concessions.
- Ensure that all European water and wastewater operators fulfill their duty at the service of the public with high common standards for drinking-water and in a sustainable way along the entire production and distribution cycle, not having to serve short-termist shareholder profit.
- Ensure that the EU stops promoting costly and non-transparent public-private partnerships, and instead provides political space for cheaper and more accountable approaches such as public-public partnerships.
- Ensure that private companies' lobbying, also within the Internal Market and Services Committee, does not compromise the EU's water policy by prioritizing commercial objectives at the expense of environmental and social requirements.

We hope that you will feel equally concerned by these unfortunate signals regarding the Commission's policy plans and would appreciate to hear your opinion on these matters. If you have any question, please feel free to contact us.

Yours sincerely,

Markus Henn  
(on behalf of AQUATTAC)