"WATER IS A PUBLIC GOOD, NOT A COMMODITY!"

Social movements' struggles and strategies against privatization of water services in Europe

Jerry van den Berge

Propositions

1. Water movements are organised but not plannable.
   (this thesis)

2. The human right to water is not a goal to attain but a means to stop privatization of water.
   (this thesis)

3. Increasing energy efficiency is counterproductive to combating climate change.

4. Artificial intelligence is dehumanizing people and humanizing technology.

5. Morality claims of the university of life sciences undermine the right to life.

6. You only start to see justice when you get it. (adapted from Johan Cruijff)

7. It's more useful to differentiate toilets between standing and sitting than between men and women.

Propositions belonging to the thesis, entitled

"Water is a public good, not a commodity!": Social movements' struggles and strategies against privatization of water services in Europe

Jerry van den Berge
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Abbreviations and Acronyms

15-M	15-May (movement)
ABEM	Aigües de Barcelona Empresa Metropolitana (Water company for Barcelona metropole)
AEOPAS	Asociación Española de Operadores Públicos de Abastecimiento y Saneamiento Agua (Spanish association of public water and sanitation operators)
Agbar	Aguas de Barcelona (Barcelona water company)
AMB	Area Metropolitana Barcelona (Barcelona metropole)
APE	Aqua Publica Europea (European association of public water operators)
CEEP	European Centre of Employers and Enterprises providing public services
CEO	Corporate Europe Observatory
CESR	Center for Economic and Social Rights
COAG	Coordinadora de Organizaciones de Agricultores y Ganaderos (Farmers' association)
CSO	Civil Society Organization
CWN	Citizens Water Network
DEYA	Municipal Water Supply and Sewerage Company (Greece)
DHA	Derecho Humano al Agua (Human right to water)
DRY	Democracia Real Ya (Real Democracy Now)
Dunea	Dune water company province South Holland
EAPN	European Anti-Poverty Network
EC	European Commission
ECB	European Central Bank
ECI	European Citizens' Initiative
EEB	European Environmental Bureau
EPHA	European Public Health Association
EPSU	European (federation of) Public Services Unions
EU	European Union
EurEau	European Federation of National Associations of Water Services
EYATH	Thessaloniki water company
EYDAP	Athens water company
FAME	Forum Alternatif Mondial de l'Eau (Alternative World Water Forum)
FCC	Fomento de Construcciones y Contratas (Construction and Contracting Company)
FFOSE	Federación de Funcionarios de Obras Sanitarios del Estado (Trade Union of Sanitation Services Workers, Uruguay))
FNCA	Fundación Nueva Cultura del Agua (New Water Culture Foundation)
FNV	Federatie Nederlandse Vakverenigingen (Netherlands' Trade Union Confederation)
FSC-CC.OO	Federacion Servicios a la Ciudadania – Comisiones Obreros (Federation of Civil Services – Workers Union

HRADF	Hellenic Republic Asset Development Fund
HRWS	Human Right to Water and Sanitation
ICE	Iniciativa Ciudadana Europea (European Citizens' Initiative)
IMF	International Monetary Fund
IWA	International Water Association
MAPiD	Moviment per Aigua Pública i Democrática (Movement for Public and Democratic Water Services)
MDG	Millennium Development Goal
Miteco	Ministerio para la Transición Ecológica y el Reto Demográfico (Ministry for the Ecological Transition and the Demographic Challenge)
MSAA	Mesa Social del Agua Andaluz (Roundtable for Water in Andalusia)
NGO	Non-Governmental Organization
NHP	National Hydrological Plan
OECD	Organization for Economic Co-operation and Development
PCPCYII	Plataforma Contra la Privatización del Canal Isabel Segunda (Platform Against Privatization of the Madrid Water Company "Isabel-II")
PE-3C	Political Ecologies of Conflict, Capitalism and Contestation
PPP	Public-Private Partnership
PSAP	Pacto Social del Agua Pública (Social Pact for Public Water)
PSI	Public Services International
PSIRU	Public Services International Research Unit
PUP	Public-Public Partnership
RANCA	Red Andaluz de la Nueva Cultura del Agua (Andalusian Network for a New Water Culture)
RAP	Red Agua Publica (Public Water Network)
RPWN	Reclaiming Public Water Network
RWE	Rhenish-Westphalian Electricity (Germany-based multinational energy corporation)
SDG	Sustainable Development Goal
TNI	Transnational Institute
UGT-SP	Union General de Trabajo – Servicios Públicos (General Trade Union – Public Services)
UNICEF	United Nations International Children's Emergency Fund
UNGA	United Nations General Assembly
UN-OHCHR	United Nations – Office of the High Commissioner for Human Rights
UNISON	Public services trade union (UK)
UPA	Unión de Pequeños Agricultores y Ganaderos (Small Farmers Union)
WECF	Women Engaged for a Common Future
WFD	Water Framework Directive
WHO	World Health Organization
WWB	Werkgeversvereniging Water Bedrijven (Employers' organization of public Water Companies, The Netherlands)
WWF	World Water Forum

Figures

1. Introduction. People suffering from water injustices, right here, right now

Figure 1.1 Demonstration of participants at FAME 2012, Marseille (photo EPSU)

Prologue. From Thatcher and Thames Water to the European challenge

In 1989 the UK government led by prime minister Thatcher privatized the regional water authorities turning them into ten water companies in England and Wales. She wrote of the debt (8 billion pound), gave the companies a "green dowry" of 2.6 billion pound and especial exemption of paying taxes over their profits (Public Citizen, 2003). She spoke out that: "…under privatization the consumer will have much better protection and so will the environment".[1] *In a few years, water prices hiked and company profits and bonusses of the executives rose excessively. An increasing number of households was disconnected for non-payment and investments in the water and sewerage grid were never made, resulting in water leakages and pollution of rivers. By the end of the 20th century the UK water industry was characterized by poor water services and quality, high prices, and CEO's that were referred to as 'Fat Cats'. The Guardian writes: "The privatised industry which still takes most of the flak for fat cat pay is the water industry".*[2]

Consequently, the companies became prey for profit-driven multinationals and private equity. German energy giant RWE took over Thames Water and sold it a few years later to an Australian private equity firm, looking for 'guaranteed' profits from the natural monopoly of water supply, passing on the costs to citizens. In 2012 the privatization experiment was called an "obscene commodification of water, ripping off ordinary people" and voices went up for renationalization of water services.[3]

The UK experience was a nightmare scenario to the European public services trade unions and water activists. Aware of privatization attempts and experiences in other countries, the European Federation of Public Services Unions (EPSU) saw an urgent need and an opportunity to take action. It found a means in the European Citizens' Initiative (ECI). EPSU appointed a new policy officer for the utilities sector that was charged with organizing a campaign against water privatization in the European Union and that was me. With the UK example in mind and voices calling for renationalization, I thought that massive support would be received in the UK. To my very big surprise this expected support never showed when the Right2Water organisers started to campaign across the European Union. On the contrary, in many other countries people did stand up massively. It was one of the reasons for me to do this research about the European Right2Water movement.

[1] See: Paul Whitehouse Our Troubled Rivers S01E01 https://www.youtube.com/watch?v=X0k4imBTpCE
[2] The Guardian, 11 July 1999 https://www.theguardian.com/politics/1999/jul/11/uk.politicalnews3
[3] The Guardian, 31 January 2012 https://www.theguardian.com/commentisfree/2012/jan/31/renationalise-english-water

1.1 The human right to water in Europe

As we have seen in the prologue, privatization of water services leads to increasing inequalities in society and puts corporate interests over the needs and rights of people. Around the world many people and organisations are struggling for access to drinking water, as a basic need for survival. Contemporary challenges and sufferings that combine the climate change and water crises have accentuated and exacerbated these struggles (Mills-Novoa et al., 2022). They also intensely reveal society's inequalities in access to clean water and sanitation. In 2010 the United Nations General Assembly recognized the Human Right to Water and Sanitation (HRWS), and the SDG 6 objective is that by 2030 all people should have access to clean water and sanitation. However, still over 2 billion people do not have access to safe drinking water and over 4 billion people do not have adequate sanitation facilities (UNICEF and WHO, 2017). In many places it is often women, the economically poor, a specific caste, ethnic or cultural groups that are vulnerable and face increased work burden and health risks (UN-Women, 2020). These drinking water and sanitation access problems, although often more apparent and severe in many regions in the Southern hemisphere, are not restricted to the global South alone. Also in Europe, population groups suffer from lack of access to water, poor quality, unsafe of unaffordable water services. In 2012 the number of people that had lack of water or sanitation services in Europe was estimated at around 10 million (UNICEF and WHO, 2012).

My research project focuses on recent struggles for (the right to) water and sanitation in Europe, a region that compared to most other continents has received less attention in literature (Bieler and Jordan, 2018; van den Berge et al., 2018). I research the citizens' actions to challenge the water crisis in Europe, defending overall safe drinking water and sanitation access. In particular, I will focus on why and how the European federation of Public Service Unions (EPSU) started a European Citizens' Initiative (ECI).[4] The ECI was a new tool introduced by the European Commission in the Lisbon Treaty (European Commission, 2009) and came into effect on 1 April 2012. It would give an opportunity to citizens to put an issue on the European political agenda whenever the organisers of an ECI would collect one million signatures from people in at least seven different EU member states within one year. EPSU saw the ECI as a new political tool that needed to be tested to challenge EU neoliberal policies (EPSU, 2009).

EPSU chose water as issue for an ECI because public services trade unions had been struggling against privatization of public services in other sectors before and saw privatization of water services as a threat to jobs, to the poor and to public control over water, while increasing the power of corporations (Clark and Mondello, 2002; Bakker, 2003; Swyngedouw, 2003; Davidson-Harden, 2007; Hall and Lobina, 2012a). This choice was intentionally made to advance the adaptation of a resolution recognizing the human right to water by the United Nations (EPSU, 2009). The resolution on the Human Right to Water and Sanitation was passed in a historic vote on 28 July 2010 (UNGA, 2010a). The human right to water seemed

[4] See: https://www.europarl.europa.eu/factsheets/en/sheet/149/european-citizens-initiative

appropriate as a legal framework, since it could convert political intentions into enforceable rights and obligations (Bernaz and Pietropaoli, 2020) and legitimize the demand of vulnerable actors for access to water and sanitation services, thus become a valuable tool for social progress and reducing inequalities (Barlow, 2015; Mirosa and Harris, 2012; Harris et al., 2015). Moreover, it could move the discourse on water supply from one of "charity" to one of "entitlement", a public responsibility that cannot be privatized. Last but not least, it could force governments to prioritize these services and provides citizens with a legal remedy (Gupta et al., 2010; Barlow, 2015; Roth et al., 2015). These reasons would support a European campaign. But the framework also has its problems. Critics of the use of the human right to water as anti-privatization tool mark that corporations make use of the human rights discourse too and that its technical framework does not address on-the-ground realities of marginalised population groups (Bakker, 2007; Bond and Dugard, 2008; Rodina, 2013).[5] The diverging debate over the human right to water makes it an ambiguous concept (Sultana and Loftus, 2011, 2019; Harris et al., 2015). Strengthened by the United Nations General Assembly resolution (UNGA, 2010b), EPSU decided to take the resolution as point of departure for its campaign to address the threat of water privatization in the European Union.

My role at that time in EPSU was to set up and coordinate this campaign. The ambition of EPSU was to be the first to organize an ECI and submit a proposal to the European Commission in April 2012. It felt strengthened and confident to do so by the result of the referendum in Italy against privatization of water that had received massive support (Mattei, 2013; Fantini, 2014; Carrozza and Fantini, 2016) The legislative proposal was "to implement the human right to water and sanitation in European law" (ECI, 2012). It became the start of the "Right2Water" movement that successfully defended drinking water supply in the European Union against European Commission plans for liberalization, marketization and the subsequent threat of privatization (Bieler, 2017; Della Porta and Parks, 2018; Halub, 2023). The European Citizens' Initiative (ECI) Right2Water collected 1.9 million signatures across Europe between June 2012 and September 2013, uniting people, cities and villages against water privatization. With that result it became the first ever successful ECI, simultaneously building the first Europe-wide movement that enabled to put the water issue high on the European political agenda.

1.2 Privatization in the water sector and Europe's water defense movement

The recent history of Europe's water movement shows how it deeply connects to the rise of and protests against neoliberal water governance and the commercialisation of water services in Europe. As I show in the Prologue, privatization of water services started in the eighties of last century in the UK, when the Thatcher government decided to privatize all water companies. Privatization was encouraged in other parts of the world by IMF and World

[5] Note: Another major debate, similar to the discussion on the UN universal human rights framework, is the embeddedness of the HRWS in an often individualizing or liberalizing policy mindset. A third debate, similar again, is its anthropocentric foundation. A fourth debate relates to its claims of universalization, objectification and essentialization of human water needs. Such and other debates will be addressed in this thesis, while the core attention of the movement was on the challenge of "privatization of water services".

Bank (Goldman, 2007; Mirosa and Harris, 2012; Hall and Lobina, 2012c). The European Commission followed the UK and the two international financial institutions in promoting the idea that the private sector would be more efficient than the public sector in providing services to the public. The Dutch former minister Bolkestein tried as European Commissioner to turn all public services into privatized commercial services with his proposal for a Services Directive in 2004 (European Commission, 2004).

Public services trade unions led by EPSU organised massive protests against this directive because they feared job losses and worsening working conditions for civil servants (e.g. Erne et al., 2015; Crespy, 2016). The example of the UK was a nightmare to many European civil servants. With large European demonstrations on 19 March 2005 in Brussels and on 14 February 2006 in Strasbourg, the trade unions prevented privatization of a number of public services including water services (Leiren and Parks, 2014; Crespy and Saurugger, 2016). In France this resistance was not that high since water services in France were in the hands of two large multi utility companies (Suez and Veolia), that were discursively framed and politically created as national champions in environmental services, including water provision and waste management. These nationally supported champions had become multinational corporations and sought for new markets abroad with the blessing of French governments.[6] They had a large interest in liberalization of water services at European scale because to them it would open up a huge new 'market'.

In response to global experiences in struggles over privatization the Reclaiming Public Water Network (RPWN) was set up at a seminar in Spain in 2005 by water activists in NGOs and public services unions from around the world (CEO, 2005). They noticed a growing number of failed and cancelled privatization projects and felt the need to promote improved public water services. The seminar followed the publication of the book "Reclaiming Public Water – Achievements, struggles and visions from around the world" (Balanya et al., 2005). When EPSU had taken up the idea to start a European Citizens' Initiative, and aiming to put the issue of implementing a human right to water in the European Union on the political agenda, their first ally was the RPWN.

Surface water is a natural resource that without large hydraulic works is largely bound to river basin areas. In contrast to, for example electricity services, water cannot be transferred from one basin to another as water does not flow uphill, unless against extreme high costs and a change in landscape, river flows and geography. In most of Europe drinking water provision infrastructure and services have been built by national, regional or local authorities and municipalities. Water services provision is in place in over 95% of areas in Europe. In a few areas in Europe water provision is not a public service but has to be taken care of by inhabitants themselves, through water commons, that have a spring, small river intake or well that usually is being supervised by the water authorities (e.g. Bakker, 2007; Vos et al., 2020; Hofstetter et al., 2023). This supervision is meant to set standards, secure sustained provision, and prevent health problems in case the water is polluted.

[6] Examples of ties between French government and Veolia (Romania) and Suez (Greece) are given in "Something in the water": https://www.youtube.com/watch?v=Sb6Gub2bDnI

The European Commission had one major goal in the first decade of the 21st century, which was the "completion of the European Single Market" (Monti, 2010). Europe had to be turned into a single market with free movement of people, goods and services. Every company that provides a service anywhere in Europe should be allowed to provide this service everywhere in Europe (Dølvik and Ødegård, 2009; Maccarrone et al., 2023). Being aware of this objective, public services trade unions and water activists in Europe knew that the threat of privatization of water services was ongoingly present in Europe (Erne et al., 2015), despite of the negative effects that were already visible in the UK, France, and in many other countries outside Europe (Public Citizen, 2003; Swyngedouw 2003; Hall and Lobina, 2005, 2012b; Bakker, 2007, 2010; Castro, 2007).

As water services are place bound, a water service provider holds a monopoly in the area where water can be distributed (Swyngedouw, 2004a, 2005; Bakker, 2007, 2010, 2011; Hall and Lobina, 2008, 2012b). Water services are monopoly services since people can only have one pipeline at home and only one provider can have access to the grid. Knowing that each person needs water every day and knowing that water use is at least some 100 liters per person per day it is easy to calculate that having a monopoly on water provision and price setting is a guarantee for making profit from it (Clark and Mondello, 2002; Bakker, 2003; Hall, 2003; Swyngedouw, 2003; Hall and Lobina, 2008). Water activists and public service trade unions campaigned in this decade on several occasions (like the World Water Forums) stating: "water for life, not for profit", expressing their anger and fear that for-profit corporations would take over public water services (Molle et al., 2008; Bakker, 2010; Barlow, 2015).

The choice to use an ECI to challenge EU water policy was a strategic one, made by EPSU already in 2009 when only contours of the ECI were known. It could serve as a double-edged knife: challenge the EU promotional talk of citizens participation ("you can set the agenda") and challenge the European Commission's promotion of a market for public services. EPSU can be seen as water policy entrepreneur knowing how to play the game of policy influencing, as analyzed by Huitema et al. (2011).

The World Water Forum in 2009 in Istanbul was an important moment for water activists. Building on the negative experience of water privatization in Cochabamba that resulted in the "Cochabamba Water War" (Schulz, 2001; Assies, 2003; Carrozza and Fantini, 2016) and meeting an ally in then Bolivian president Evo Morales, activists brought the issue of water as a human right to the forefront. This was based on years of promoting the right to water by the Council of Canadians and their frontwoman Maud Barlow who had served as an advisor to the UN (Davidson-Harden, 2007). Considering water as a human right would in the view of the global water movement activists exclude corporations from selling water for profit. The idea gained support of most of the countries in the Global South when in 2010 the issue was brought to the United Nations General Assembly. In a vote with 122 countries in favor, 41 abstentions (mostly countries from the Global North, that could "morally" not vote against a human right, but, apparently afraid for the anger of multinational companies abstained), and none against, the human right to water was recognized by the United Nations General Assembly (UNGA, 2010b). Private sector actors with an interest in water had tried to prevent

the resolution from being adopted and expressed themselves fiercely against a human right to water (see e.g. Peter Brabeck, CEO of Nestle at that time).[7]

The vote in the UNGA was seen as a huge victory for social movements fighting for water (Barlow, 2015; Sultana and Loftus, 2011; van den Berge et al., 2020). However, the devil is in the details and private water operators soon acted as if they were human rights defenders by claiming that they could help and support governments to fulfil their human rights' obligation by providing water services. In no way they would ever take over the obligation; they are only service providers. In the private operators' view the human right to water would not obstruct governments from contracting out water services (van den Berge et al., 2020). At the World Water Forum (WWF) in Marseille in 2012, I had the task to present the planned campaign of the Right2Water ECI for water professionals (figure 1.2 and figure 1.5 (p.32)).

Figure 1.2 The author presenting the ECI Right2Water at WWF 2012 in Marseille. (photo Gerard Rundberg)

At the same forum, Gerard Payen, former director in SUEZ and president of Aquafed, the federation of private water companies, nonetheless asserted: *"No money, no water",* on the question how private water operators would increase access to water for the world's poorest that had no money. This was depicted in a cartoon (figure 1.3).

[7] See: Nestle CEO about drinking water https://www.youtube.com/watch?v=TPY64EJcsG4

Figure 1.3 Cartoon depicting private water operators position towards the right to water: "Everybody must have water" (left person), "I totally agree, to whom do I send the bill?" (right person).

At the same time, I presented the campaign at the Alternative World Water Forum ("Forum Alternatif Mondial de l'Eau"; FAME 2012) (figure 1.4) where water justice activists had convened to discuss their views and solutions to the world water problems and the actions needed to combat water injustices that were most often caused by private companies and corporations through commercial exploitation of water and water resources (Barlow, 2016; Hall and Lobina, 2012d).

Figure 1.4 Presenting the ECI Right2Water at FAME 2012 in Marseille, with Tommasso Fattori (Italian Water Movement).

The participants in FAME also demonstrated in the streets of Marseille as a protest against the corporate driven World Water Forum (figure 1.1 (p.11)). In the alternative forum I found

allies that were willing to support a European campaign against water privatization and in favor of implementing the human right to water in the European Union.

In the evolving debates, the human right to water has become an ambiguous notion (see e.g., Bakker, 2007, 2010a; Sultana and Loftus, 2015; Harris et al., 2015; Dupuits et al., 2020). For the social movements it means that a right to water is not compatible with private and profit-oriented water supply. On the contrary, private companies claim that it still is possible and even necessary for (bureaucracy-driven) governments to hand over water services to private corporations (Russell, 2011), given the latter's presumed efficiency, and their claim is supported by global institutes like the World Bank and IMF (Davidson-Harden, 2007; Goldman, 2007; Hall et al., 2011). In between the two sides, models have been designed in which human right obligations are imposed on corporations (Bernaz, 2021). These models are part of ongoing debates around "business and human rights". Usually corporations take the position that "human rights obligations are state obligations, not corporate obligations" (Kinley and Chambers, 2006; Russell, 2011; Augenstein and Kinley, 2013). This was one of the motivating factors for the public services unions and water activists to fight and prevent privatization of water services (Hall and Lobina, 2012d; van den Berge et al., 2018).

Inspired and encouraged by the success of the Italian Water Movement that "transformed the opposition to water privatization in a paradigmatic battle for democracy" (Fantini, 2014, 44), EPSU started to look for allies as soon as the rules of the ECI were established. Convinced that a broad alliance would be necessary to achieve the required one million signatures from EU inhabitants, other organizations were sought as allies in the new campaign that was named "Right2Water". A coordinating alliance team was formed on the initiative of EPSU that united six European civil society associations: the European Anti-Poverty Network (EAPN), the European Environmental Bureau (EEB), the European Public Health Alliance (EPHA), the Social Platform, Women in Europe for a Common Future (WECF), and the European Federation of Public Services Unions (EPSU). Close to 250 local or national organizations joined the alliance and collectively formed the Right2Water movement (van den Berge et al., 2018). In the movement EPSU had the lead by being the initiator and biggest contributor, which was accepted by the other European federations.

The European Citizens' Initiative (ECI) was a European campaign in name, but in practice a collection of 27 national campaigns that had to be carried out. Each member state had to put conditions for allowing citizens to sign for the ECI and for validating the signatures (European Commission, 2011b). When the campaign started expectations in EPSU were that many signatures could be collected in the UK for its devastating experience of water privatization, in Italy for the impressive result of the Italian Water Movement in the referendum against water privatization in 2011, in the Netherlands for the potential threat to its well-known quality public water services and water law and in Germany as most populated country with a good degree of trade union organization. In these four countries the majority of signatures should be collected and already go towards a million. Supplemented with a reasonable number of signatures that could be expected from countries with a strong trade union organization, like Sweden, Belgium and France, one million signatures should be surpassed. If any of these seven countries would fall short of the expectations, the required one million

signatures could be reached by signatories from smaller countries where the country threshold could be surpassed easily, and that would complete the minimum of seven countries needed to successfully accomplish the campaign. EPSU counted on its affiliated trade unions to get the job done but, as my thesis shows, the actual dynamics of international social movements and the diversity, obstacles and opportunities on the ground in national chapters, proved to be far more ambivalent and challenging.

1.3 Conceptual framework

In this thesis, the Right2Water movement will be studied and scrutinized as a Global Justice Networked Movement as identified by Cumbers et al. (2008). A global justice movement can arise when an injustice caused by neoliberalism and dominant powers is perceived by different people or groups in society and in different countries at the same time and when these people recognize that they have a similar vision to tackle the situation. It distinguishes itself as being present in different levels and parts of society and in a way that people that identify themselves with the movement can take part in activities without becoming a "member" or without "application procedures". A movement possesses a certain level of spontaneity in its development and is not a consequence of organizing that characterize, for example, Civil Society Organizations (CSOs) or Non-Governmental Organizations (NGOs).

Cumbers et al. posit that the seven key characteristics of networked global justice movements are: being locally grounded; having a collective vision; based on solidarity; facilitating political action; having "grassrooting vectors", having a range of different operational logics and manifesting contested social and power relations.

A networked movement that is **locally grounded** has supporters at local level and ensures that its goals are coherent with that what locally is perceived as injustice, being either experienced as problem of injustice or recognized as problem of injustice in case that the injustice does not take place locally but local support is present to address the globally experienced injustice. The movement would not be a movement without a local basis of people that identify themselves with activists that share a similar vision and sympathize with these activists and their goals. The local basis can be as small as one person as long as this person can make the movement visible and can show that there is a broader support for the vision and actions of the movement. Since local can be in many places, identifying a movement as locally grounded depends on places where actions are taking place and whether connections between activists are, more or less, visible. I consider Greenpeace as a locally grounded networked organization as it has local groups that are locally active. The problem that Greenpeace addresses can be seen as global injustice, but Greenpeace is an organization and not a movement. This will become clearer when looking at the other characteristics of a global justice movement.

A **collective vision** can be identified if the ideas and discourse of activists at different places show similarities that indicate a similar view. Distinct from a Civil Society Organization is that in a movement this vision is not uniform but can be pluriform depending on locally different

situations or different perceptions and views between activists. The collective vision of a movement is often the 'higher goal' of contributing to a solution of an injustice that cannot be solved by one group or part of the movement alone. People in different places have to be or become aware that they are not alone in the confrontation with a situation of injustice and realize that they have a similar or a common problem that could be best tackled by collective action and realize they have a common interest. When a situation is recognized as a common problem and collective action is seen as a possible solution, a collective vision has to be developed to "what way" collective action should be taken.

Problems of global injustice always hit harder to one person than to another person. This is inevitable as we live in a society of individuals, living in different communities, in different countries and in different circumstances. Depending on national and sometimes local policies there can be safety nets in place for vulnerable people to diminish injustices. Social benefits are an example of institutional safety nets and taxation can be a form of institutionalized social support to subordinated groups in society. All these factors influence in how far injustice hits people and also in how far people stand up or respond to injustices, let alone if this injustice does not hit a person him or herself. A movement has to find a way to achieve collective action by such a diversity of people in such diverse situations but with a shared vision towards an injustice. This can only be achieved through an appeal on **solidarity.** Solidarity is the mechanism that can make a group of underpaid workers capable of successfully standing up against their boss and achieve better wages, if they were supported by their well-paid colleagues. Solidarity is the basis on which trade unions have been built up. In a movement with a diversity of activists it is a prerequisite that it is based on solidarity. Without this the movement would fall apart. The unwritten rule for maintaining solidarity among different groups lies in its reciprocity: "I support you in the fight against the injustice that you experience and I expect you to support me in the fight whenever I experience injustice".

Boelens et al. (2018) define injustices as lived experiences of oppression, discrimination and marginalization related to locally prevailing perceptions of equity, hegemonic discourses and procedures of formal justice. Achieving justice in a situation of access to water and control over water is a matter of fighting injustices at several levels and in different contexts (e.g. Swyngedouw, 2004a; Sultana and Loftus, 2011; Zwarteveen and Boelens, 2014). In order to fight these injustices **actions** must be taken towards these experiences while taking into account the related issues of perceived (in)equity, discourse and formal procedures. Actions should be concerted in order to provoke choices by governing bodies. In my view it is not possible to address different problems at the same time by one type of action on one specific level. Choices need to be made to what extend action is taken and towards which objective and target. **Action in this sense is always political** as choices have to be made on who does what, when and how. A movement cannot be a movement if it does not set something in society in motion.

The concept of **grassrooting vectors** entails that a movement can be identified according to the interconnectedness of people and organizations within the movement. Participants in a movement are connected to each other either through sharing a goal or sharing a

background. This connection must be visible at the lowest level of activity i.e. by people on the ground. This signals that a movement has grassroots. These linkages between people in a movement are more often online, through social media, than that they are 'live'. Social media presence and activity are one of the indicators of grassroots connections in a global movement and a strong determinator of capabilities of a movement. The other determinator are the actors in a movement and the web of connections that these actors have. This personal world wide web of connections is the second indicator for strength of the movement and in how far it depends on one, few or many persons.

As a movement is built upon different local, national or transnational organizations with different structures and with actors that possess different roles and interests, it faces dilemmas in how to operate. Cumbers et al. (2008) characterize the movement as a space in which participants converge and bring their own **operational logics** that can vary from horizontal: decentralized and non-hierarchical to vertical: centralized and hierarchical. These operational dilemmas can hinder effective actions and must be discussed, debated and overcome, before we can speak of a movement. It does not mean that a movement has to choose for one way of operating, but there has to be an understanding of how to operate as a movement in order to reach the common and overarching goal.

To become successful in countering neoliberal politics or other widespread injustices, a global justice movement depends on its territorially based constituencies and their ability to build a progressive 'glocal' politics (Swyngedouw 2004b; Cumbers et.al., 2008). As movements are temporary and contingent associations, they depend on specific circumstances in which people and constituent organizations are willing and capable to mobilize. The existing relations at that specific moment in time are decisive in the rise of a movement and at any moment these relations are uneven by definition. The movement does not start from scratch, but brings **different social and power relations** together that determine its opportunities to challenge existing politics and power relations. New networks offer a chance to develop more democracy, but at the same time contain their own tensions. This needs to be recognized in understanding how the movement can be successful at one moment and at one place while at the same time failing in another place.

In the thesis, after empirically examining the cases in chapters 2, 3, 4 and 5, I will deploy the core elements of this framework to analytically comprehend the Right2Water movement in the discussion chapter as a global justice movement. The movement, that arose quickly around the issue of water provision, is local and global at the same time (Swyngedouw, 2004b; Dufour, 2021; Daphi et al., 2022). Water provision is a local service, but the problem of people that have no access to water was and still is a global problem. This problem is interconnected at different levels and is a matter of justice. Political action to address this issue cannot be taken at one level only; actions have to be at local, national and at global level. The more concerted these actions are, the more they are helpful to solve the problem and combat injustice in access to water. Globalization is usually referred to as when an action that takes place in one particular place or country in the world has impact in another country and place that can be literally on the other side of the globe. Since it is not only a one-way action and impact and since actions can be at more levels simultaneously, the term "glocalization"

(Swyngedouw, 2004b) gives a more detailed insight to what exactly is taking place and what impacts on who or who impacts on what. Globalization is often seen as a process that people have no influence on, but analyzing this process as glocalization makes actors as well as impact of actions at different levels visible.

After elaborating on Cumbers and colleagues' notion of global justice movements, I will step towards the social movement analysis framework of Dufour (2021), because, as indicated before, the Right2water campaign was not a single campaign but the sum of 27 national campaigns and consequently the Right2Water movement consisted of several movements that took action at different levels from local to national and supra-national. In this thesis I analyze actions, strategies, outcomes and pitfalls of the Right2Water movement in three different countries and at European level as well as at local level. Dufour (2021) distinguishes three dimensions that she refers to as 'spaces of protests': the aim, the distribution of actions, and the scale of protest, to compare collective actions of social movements. I integrate these elements into my overall frame to deepen my understanding of the Right2Water movement.

According to Dufour (2021) it is not enough to study and compare social movements by analyzing their field, space, arena or networks. Therefore, she adds the three dimensions of 'Spaces of protests'. Firstly, a social movement is characterized as a group that takes political action with an **aim to combat a societal issue** that splits society into proponents and opponents of a proposed solution. The movement takes a position and seeks support for its aim. Water is an issue around which movements have emerged. Some scholars speak about a "human right to water movement" (Bakker, 2007; Bond and Dugard, 2008), others speak about "water justice movements" (Mirosa and Harris, 2012; Boelens et al., 2018, 2023; Hommes et al., 2023). Identifying the aim of movements and relating it to the context in which the movement emerged and to social and power relations within movements makes it possible to compare and understand similar movements with different outcomes, achievements and impact of its struggle.

Secondly the **distribution of actions** is a character that helps understanding the movement. Action can take different shapes and can be at different levels. This depends on the context that lies outside of the movement and depends on structure and relations within the movement. Departing from the notion of Swyngedouw (2004b), Dufour considers a movement as "glocal" when actions are simultaneously taking place both at local and global level. The **scale of protest** is a third character of a social movement that allows for comparison to other movements and comparison within the movement as scales can vary and depend on factors within and outside of the movement. Dufour defines a "glocal" scale of protest when local actors aim for global change. Adding these three dimensions will help to better understand the emergence, development, strategies, successes and pitfalls of the Right2Water movement.

The Right2Water movement aimed to change European water policy and shift the "European mindset" with regards to water policies from market approach to rights-based approach and from commodifying this public good and public service to safeguarding it as a common. Concerted actions were mainly targeting the European Commission, but were taking place in as many countries as possible. To express the global relevance of the issue, support was

sought and activities organized outside of the European Union. The scale of actions varied from local meetings to demonstrations and events across the EU, organized by local movements and concerted actions at specific chosen moments. Examples of concerted actions were the fountain events on 21 June 2012 (figure 2.1 (p.35) and figure 6.1 (p.105)), and the approach of the mayors of ten cities across the European Union (Amsterdam, Brussels, Copenhagen, Genoa, Leicester, Moita, Nantes, Naples, Paris and Vienna) that simultaneously expressed their support for Right2Water on Human Rights Day, 10 December 2012 (EPSU, 2012).

Returning to the conceptions of Cumbers et al. (2008) and adding the dimensions of Dufour (2021), I analyze the Right2Water movement on a range of ten aspects to comprehend the rise of the movement, its strategies and actions and its multi-layeredness. Next to these aspects I will compare the four cases on aspects of the (political) arena in which the struggles for the human right to water took place and campaigning had to be done and I will indicate how these aspects played a role in the incipient Right2Water movement and in the national cases. By scrutinizing the movement on these criteria, I will work on a qualitative elaboration of the next table.

Table 1. Criteria for Social Justice Movements based on Cumbers et al. (2008) and Dufour (2021)

Criteria for Social Movement	**Europe**	**Greece**	**Spain**	**Netherlands**
1. Locally grounded				
2. Collective vision				
3. Solidarity				
4. Grassrooting vectors				
5. Political action				
6. Operational logic				
7. Social and power relations				
8. Aim (that is set)				
9. Distribution of action				
10. Scale of protest				

In fact, the Right2Water movement can be examined as both a water movement as well as a political movement. It aimed to shift ideologies and power balances from corporations to citizens. The movement took inspiration from the Italian Water Movement that campaigned against privatization of water in Italy using the phrase: “Write water (but) read democracy” (Fattori, 2011; Fantini, 2014; Carrozza and Fantini 2016; van den Berge et al., 2018). In order

to shift power, the movement had to gain power itself. Whereas the European movement depended on national actions to reach out to citizens and gain their support, I think it is relevant to add the power dimension within and outside of Right2Water to this research and study how power relations in the network and in the political arena played a role.

In this research I investigate four cases of social mobilization against privatization of drinking water systems: the European case and three country cases (Greece, Spain and The Netherlands) using the entwined Cumbers-Dufour frameworks (table 1) to understand strategies and layers of the movement. I make use of these frameworks to exert a social movement perspective, but readers will notice that in the four article-based chapters I have deployed a number of additional theoretical concepts that help understanding the four case studies in their broadness, depth and variety. These concepts provide an amplified basis of field, arena and context in which the Right2Water movement rose and have a link to the Cumbers-Dufour frameworks in, for example, collective vision, political action and power relations (Cumbers et al., 2008) as well as to aim and scale of protests (Dufour, 2021). These concepts will be further explained in each of the chapters, and refer to:

1. Privatization: the handing over of control from public authority to a private company (see e.g.: Swyngedouw, 2003, 2005; Bakker, 2007, 2010; Hall and Lobina, 2008, 2012a, 2012b; Fantini, 2014; Heller, 2020; Bieler, 2021);

2. Political ecology: the role of power structures and relations in water policy (see e.g.: Forsyth, 2003; Robbins 2004; Harris, 2012; Perreault et al., 2015; Bernaz and Pietropaoli, 2020);

3. Environmental justice: the aspects of recognition, representation and redistribution that need to be addressed to combat injustices (see e.g.: Fraser, 2000; Schlosberg, 2004; Zwarteveen and Boelens, 2014);

4. Neoliberal water governance: the idea that water services can be provided following a market ideology and principles (see e.g.: Swyngedouw, 2005, 2013; Castro, 2007; Bakker, 2010; Boelens et al., 2018; Dupuits, 2019);

5. Water justice movements: social movements that fight for equal access to and democratic, public control over water services and resources (see e.g.: Swyngedouw, 2003, 2004a; Sultana and Loftus, 2011; Boelens et al., 2018, 2023; Shah et al., 2021);

6. Discourse: the importance of language used either to disguise or promote (hidden) ideology (see e.g.: Forsyth, 2003; Jaegerskog, 2003; Feindt and Oels, 2005; Roth et al., 2015);

7. The human right to water: As acknowledged by the United Nations General Assembly in July 2010 (see e.g.: Gupta et al., 2010; Sultana and Loftus, 2011, 2019; De Albuquerque and Roaf, 2014; Barlow, 2015; Harris et al., 2015; Clark, 2017; Fantini, 2020);

8. Remunicipalization: re-taking of control over (water) services that have previously been privatized, by local and municipal authorities (see e.g.: Kishimoto et al., 2014, 2015; McDonald, 2018; Bel, 2020);

9. Legal pluralism: The coexistence and interaction of (often) formal and informal rule and law systems in the same socio-geographical context (see e.g.: Roth et al., 2015; Guevara-Gil et al., 2010; Bernaz, 2021).

Deploying the integrated frameworks and core notions I analyze the Right2Water movement in the final chapter. Throughout this endeavour I will add and integrate my view on the Right2Water movement as I coordinated the campaign: my views and personality evolved with the campaign as well as afterwards by researching the movement, growing older and doing other jobs. This aspect I will elaborate in Section 1.6.

1.4 Research objectives and questions

The Right2Water movement aimed to change EU water policy and shift the "European mindset" with regards to water from a market approach to a rights-based approach and from commodifying this public good and public service to safeguarding it as a common. Commodification of water includes more than giving water a price. It involves the materializing of social relations and processes with regards to labor, private property and exchange, but also market logics such as competition, profit-making and expansion. Moreover, commodification is often promoted through dominant discourses and institutions (Moore, 2023). In this research I investigate how the movement operated in order to shift EU policies away from the dominant neo-liberal market ideology towards a more democratic and socially just approach.

Actions were mainly targeting directly the European Commission, but were taking place in as many countries as possible. To express the global relevance of the issue, support was sought and activities organized outside of the European Union. The scale of actions varied from local meetings to demonstrations and events across the EU, organized by local movements or concerted actions at specific chosen moments.

The Right2Water movement fits in the global struggles for water justice, and deploys an environmental justice movements lens, while organizing at multiple interlinked European scales. **My first research objective** in this respect is to comprehend the multi-level actions and strategies of the Right2Water movement and deepen understanding of in what way these responses empower (or disempower) one another.

The human right to water and sanitation is often presented as a major societal goal, policy tool and governance framework to provide equitable and safe water access. But it is also severely questioned, amongst others because not only societal alliances but also multinational drinking water companies use it and benefit from it: both see it as a tool they can use to hold governments responsible while they can materialize their, respectively, societal and commercial interests in water supply. **My second objective** in this research is to gain knowledge about how the human right to water has been used by social movements to advance socially just and public water services provision.

While the crisis in drinking water and sanitation access is especially severe in Southern countries, vulnerable communities and families in Europe also suffer from this crisis that is exacerbated by the climate crisis. The lack of knowledge of European water and sanitation problems, and of the (scarcely known and investigated) societal struggles and mobilizations for the human right to water and sanitation in Europe, constitutes the key problem field of my project. **The third objective** in my research is to gain understanding of the multi-scalar environmental justice movement.

This research seeks to contribute to our understanding of the water movement in Europe, to understand the importance of a social movement for water in Europe and the usefulness and limitations of the human right to water and sanitation as a tool to advance water justice.

Consequently, my **main research question** is:

How can we understand the rise, objectives, strategies and actions of Europe's Right2Water movement and its positioning vis-à-vis the diversity of population groups that lack safe, equitable and affordable water services, in relation to the ambivalent 'human right to water and sanitation' and Europe's water policies?

My sub **research questions** are:

a) In what way does the Right2Water movement qualify as a global justice movement and what characteristics of the movement support this qualification?
b) How and why has the Right2Water movement used the human right to water as a tool in the European struggle against privatization of water services and for water justice?
c) How did the movement rise or stumble in the cases of Greece, Spain and the Netherlands and what are the reasons for this?
d) How did local or national branches and actions of the movement in these countries reinforce the global movement or hamper its supra-national levels, and vice versa?

1.5 Methodology

1.5.1 General research methodology

This research is carried out by means of four case studies on the Right2Water movement's background, strategies and actions. Case studies are suitable for answering "how" and "why" questions as studying several cases in depth allows for understanding of particularities in detail. They help to illuminate differences and similarities, which in turn leads to considerations and inquiries that in a single case study design would not arise. This research argues for the value of studying a similar phenomenon in diverging settings in order to understand the different shapes a phenomenon (i.e. the movement) can take. The Right2Water campaign took place in all 27 EU member states and had great diversity at local and national level in organization, mobilization, media attention, successes and political impact. For this research I selected four cases that give an insight in the diversity of the

European Right2Water movement. The four cases have been studied and their results have been published in four co-authored articles, now transformed into chapters 2, 3, 4 and 5. In these chapters I have maintained the “we”-form, while I explain in the authorship statement how I have worked on these articles as first author.

The first case is about the European Right2Water movement and what it meant for Water Justice in Europe and gives a general picture of the movement. The second, third and fourth cases are national cases and study the Right2Water movement and water struggles in respectively Greece, Spain and the Netherlands. The choice to study these country cases is based on the results of the Right2Water campaign. In all three countries the Right2Water campaign was successful, but not in the way that I and my colleague campaigners had expected. The expected huge result in the Netherlands was not reached. The results in Spain and Greece were much higher than expected. This triggered my curiosity to investigate what factors played a role in the mobilization of citizens and in the rise of and support for the Right2Water movement and water activism in these countries. The case studies are based on literature review and semi structured interviews. For the literature review I based my research partly on existing research on water governance, water politics and water struggles as well as on human right to water literature, EU policy literature and social movement studies. I made use of my own experience in coordinating the Right2Water campaign and for interviews I selected activists and actors in the Right2Water movement as well as in water policies and water supply in these countries. Next to literature I made use of newspaper articles that are related to water supply, water policies and to the European water movement.

1.5.2 Research methods

The main source of information for this research is literature review. As water struggles in Europe are rather understudied, the literature on water struggles is rather scarce, but a lot of research has been done on issues of water privatization and on social movements in general. This research combines these issues in a European context. For all national case studies, I have made visits to the countries and I used semi structured interviews with protagonists in local struggles for water and in the European Citizens’ Initiative campaign. The European case is based on my personal experience. As coordinator of the ECI ‘Right2Water’ I stood in the middle of the campaign that I helped shaping myself. As a researcher I studied how other researchers perceived this campaign and reflect on my personal role as an activist at that time. At times this was difficult as I had formed my judgements during the campaign and had drawn my conclusions after it ended in 2014 when the public hearing took place in the European Parliament. Moreover, I had my prejudices that were based on my “insider” view being based in Brussels, the European political “bubble” that made it hard to have an open “outside” view as a researcher. Of course, it was also a great advantage to be part of the campaign and movement since I knew all that was happening and could observe all activities. Besides this I had the opportunity to contact people that played a role in the Right2Water campaign and local water activists and I had access to unpublished documents. On the other hand, people knew who I was and put me in the “activists” side, so interviewees might adapt their story as telling what the activist would like to hear, rather than answering to what the

researcher would like to know. Like every researcher I have my bias, which is that I have chosen the side of people that suffer from water injustices. As an activist I tried to act against this injustice; as a researcher I tried to analyze what triggered people to stand up and take action, what came forth from these actions and what impact these actions have had.

1.5.3 Case study selection and regional embeddedness

For this thesis I have selected four cases. In the first place I decided to do a research of the European Right2Water movement and its inception. Next to this I selected three countries to focus my research on. These countries are Greece, Spain and the Netherlands. In Spain and in Greece I have observed the creation and actions of water movements, while in the Netherlands I observed absence of any movement to protect water services. That made these countries interesting to investigate. Results of the Right2Water campaign in other countries are documented and explained in the book "Water Justice" (Boelens et al., 2018). I could have studied more in-depth why there was no movement or result in the UK, but I have decided to limit myself to four case studies. However, in the epilogue I will reflect on the privatization of water services in the UK.

Europe

Although in Europe access to water is relatively well-organized (UNICEF and WHO, 2012, 2019), problems with water supply are certainly not absent and often related to aspects of quality and affordability (Hall and Lobina, 2012a; Chong et al., 2015). Moreover, water justice matters equally involve the challenges of recognition, representation, ecological integrity, all strengthened (or threatened) by particular water truths or discourses. In the European chapter I explain the background and rise of the movement and its links to global water justice activists. The formation of alliances with a large number of diverse organizations played an important role. Discourse is part and parcel of (in)justice and therefore an issue to be targeted as was clearly exposed by the Right2Water movement. Valin and Huitema (2024) clearly expose that EU discourse sets boundaries to "what may be said, who may say it and also how it shall be interpreted" (Jaegerskog, 2003, 2), and disdain other discourses. This was well understood by EPSU when they wrote their proposal for the ECI. The word privatization was not allowed as it was formally not within European Commissions competence to act on this issue. This problem was solved by using the word liberalization, which in its turn was understood very well by the 1.9 million Europeans that signed the Initiative. The European Commission insists on its discourse that water services can be provided via a market, thereby closing its eyes and ears for market-induced injustices.

Greece

In the beginning of the decade 2010 – 2020, people in Greece were confronted with austerity measures imposed by the 'Troika' composed of the International Monetary Fund (IMF), the European Commission and the European Central Bank (ECB). One of the drastic measures imposed was the privatization of public assets. The Greek government was forced to privatize national or local governmental companies and put them up for sale. This was the case for

EYATH the public water company of Thessaloniki, the second biggest city in Greece. In 2010 the European Commission, together with IMF and ECB ordered the Greek government to sell a number of public assets as part of the (first) bailout, that is, extending financial support to the country to avoid bankruptcy (European Commission, 2010). In Thessaloniki trade unionists and employees of EYATH came together with local NGOs to discuss possible actions to prevent the privatization of the company. This case study illuminates the interconnections between local, national and European policies as well as interlinkages of social protests and movements at these levels.

Spain

The case of Spain is an example showing that the struggle for water is also a class struggle. Since the early 21st century citizens in Spain had organized themselves by forming Citizens Water Networks (CWNs), led by the *Fundación Nueva Cultura del Agua* (FNCA), protesting against the top-down imposition of the National Hydrological Plan (NHP) (e.g. Hernández-Mora et al., 2015). By 2011 it had grown to into a movement that demanded citizens participation in all aspects of water resources management and the *Red Agua Pública* (RAP) was formed. In Spain the negative effects of the "mercantilización" of water had become visible when austerity measures hit hard to the poor. People in Spain had experienced first-hand how privatization of water services had disastrous effect on the most vulnerable with the highest tariffs and highest number of shut-offs in cities where water supply had been privatized (Babiano, 2015). This case explores how water struggles reflect political power structures and ideology; how they evolve in time and place; how these struggles were reflected in media and the democratic potential of water remunicipalization (Cumbers and Paul, 2022).

The Netherlands

The case of the Netherlands stands in contrast to Spain and Greece. The case is exceptional as it does not deal with the rise of a water movement, but rather with the absence of a water movement. This is remarkable as privatization of the Dutch water provision was a real and concrete threat with the proposed Concession Directive that aimed to liberalize water services among others (European Commission, 2011a). The Netherlands is known for its long-standing democratic model of drinking water systems and high-quality water provision by public companies owned by provinces or municipalities, and rural water management by so-called "Waterschappen" (regional water authorities). Combined with a water law that prohibits privatization and commercialization of water services, the expectation of gaining support for the Right2Water campaign were high. Moreover, experiences with previous privatization of public services like the national railways, postal services and energy services were not that positive. Commercialization after privatization changed the focus from a servicing-the-public orientation to profit-oriented and went at the expense of the least fortunate in society that depend the most on public services. There was a lot to lose. Last but not least, the Netherlands water services sector could be the model for quality public services as EPSU and the trade unions envisioned. However, no mobilization turned out and the Right2Water movement did not find fertile ground to rise. The inaction in the Netherlands

stands in sharp contrast with the massive mobilization and outcome of the ECI in Germany that has a very similar water provision. Why it turned out this way is the core question of this case study.

1.6 Positionality

In 2010, I started a job in EPSU as policy officer dealing with energy, water and waste services in Europe. Influencing EU water policies and corporate policies in these sectors was one of the objectives. At its congress in 2009 EPSU had decided to launch a European Citizens' Initiative (ECI) on the issue of water to campaign against further liberalization of public services in Europe (EPSU, 2009). The ECI was introduced in the Lisbon Treaty (European Commission, 2009) as a means to bring European citizens closer to the European Union or the EU closer to European citizens as voices against EU policies were increasing with growing unrest amid the financial crisis and following austerity measures. With an ECI, European citizens could bring an issue to the European agenda. How this works is explained in chapter two. When I started my job, one of my tasks would be to set up and coordinate this European campaign. Coming from the Dutch public services trade union (ABVAKABO FNV) I had until that moment dealt with Dutch energy and water companies and Dutch energy and water policy. My colleague in International affairs had put me in contact with David Boys from Public Services International: the global federation of trade unions in the public sector that dealt with global matters. David Boys introduced me in global water struggles around privatization. From him I learned about the political battleground that water services can be; the hidden dangers in Public-Private-Partnerships (PPPs) as privatization in disguise and the alternative of Public-Public Partnerships (PUPs) based on solidarity cooperation. In international water matters I found my connection to Wageningen University back. This encouraged me to apply for the job in EPSU. The European arena was new to me, but I started with a lot of enthusiasm, based on my personal interests in sustainable development and my sense of international solidarity. Water, in my view, is life. No one can live without water and we all need it and depend on it in the same way. In this way, water is democratizing society; For water we are all equal. Water availability differs from one part to another in this world, as it is related to rainfall and river basins. It cannot be produced, nor can it be transported over the world like oil as the amounts that we need on a daily basis are way over transportable amounts. Bottling water and selling it in another part of the world is one of the most unsustainable, anti-social and expropriative actions anyone can take. By doing so locally living inhabitants (humans and non-humans) are deprived of their water, their life. Water is a local resource and is circular in use as it returns as waste water to the local environment. Water, in my opinion, cannot be privatized. "Water for people, not for profit" was a slogan that I could identify with completely. With this conviction I started discussions with colleagues in EPSU and in other organisations how to shape the ECI. With my Dutch trade union experience I was aware of some of the strengths and limitations of their campaigning capacities. I brought in the idea to broaden the campaign to NGOs and water companies that would be supportive to the goal of changing EU water policies and to halt liberalization and privatization of water services.

In EPSU I had extensive discussions with colleagues about the wordings we had to choose in this campaign. The proposal should not exceed 500 characters and had to be within the power of the European Commission to deal with it. The proposal had to have the right words or otherwise would be turned down after submission. Privatization was an issue of national interest and within the power of member states. This could not be an issue of EU legislation. In the end my colleagues and I came out on three lines along which the human right to water could be implemented in European law: 1: a guaranteed water provision for all EU inhabitants; 2: a stop on further liberalization of water services, and 3: an extra effort by the EU to achieve global, universal access to water and sanitation.

The campaign was different to other trade union campaigns as it did not focus on workers' rights and interests but on a human right and a public interest. It complicated also the search for allies; what was the trade union's main objective? Were each partner's objectives compatible with others? It led to a role for me of "keeping the coalition together", as I thought that the only wat to achieve a success was to be with the largest possible alliance.

Figure 1.5 The session that I organized at WWF 2012 in Marseille to herald the ECI Right2Water. From the left to the right: Maude Barlow (Council of Canadians), Steve Bloomfield (UNISON-UK), Sascha Gabizon (WECF), Anne Le Strat (Eau de Paris), myself, David Hall (PSIRU) and Ismael Cortazzo (FFOSE-Uruguay) (photo Gerard Rundberg).

At the start of this campaign I was convinced that easily over one million citizens in Europe would support the initiative, but collecting signatures turned out harder than I expected. In the first place because of barriers that were put by the European Commission that member states had to check whether all signatures were from real existing inhabitants of a country.

This meant that people had to provide personal details next to their signature to be identifiable. In order to protect people's privacy, the signatures had to be stored on a protected and secured website to which no one would have access. This site was only to be opened to collect and deliver signatures to national authorities for verification when the ECI had ended. National authorities would destroy the signatures after they had verified all of them. As first starter of an ECI, EPSU was confronted with these administrative barriers. A second setback was the language problem. Soon it became clear that campaigning had to be done in every EU language so this was depending on nationally available campaigners and materials. Slogans in 27 languages were not sufficient. An explanation of why the campaign was set up was needed in every language. This meant a lot of work and a huge need for volunteers. Finding these volunteers was a big challenge. My personal influence was restricted to my connections to the national campaign coordinators that I had found, my trade union connections, that sometimes were the national campaign coordinator, and my connections to the European networks and associations that supported the campaign. This made me at some moments feel powerless as I could not directly motivate or stimulate people in other countries to campaign. For mobilizing people, the campaign coordinating team that I had set up by involving a number of Brussels-based European federations, sought for possibilities that would appeal to people in many countries. This coordination team was formed with representatives of EAPN, EEB, EPHA, EPSU and WECF. We searched for means that would attract (media) attention and ways to reach out to as many people as possible at once. It was a process of trial and error in which none of the partners had experience in setting up such a Europe-wide campaign. By the end of the signature collection I had gained experience in ways of campaigning, use of social media, the European political arena and knowledge about the 27 different social, political and cultural realities in water provision and policies in the EU. I had visited a large number of EU countries in which I explained the ECI, European water policies, the threat of water privatization and encouraged many people and organizations to support our campaign and sign the ECI. I was known for being the coordinator of the Right2Water campaign and as a water expert, kindly called "the water guru" by some water activists. Ten years after the start of my job in EPSU I started my research on the Right2Water movement. At that moment I knew who I was during the campaign, but now it is time to ask again: "Who am I to do this investigation?"

1.7 Structure of the thesis

In this chapter I have set the scene in which the Rigth2Water movement arose, the European political environment and a brief history of the human right to water. I introduced the frameworks that I have used to analyze the movement and the questions that I seek to answer in this research. In Chapter two I analyze how Right2Water challenged European water policies in its attempt to stop liberalization and privatization of water services in the European Union. Next to the analysis of the European movement I describe the context in which it operated and the different worldview and the consequent discourse the movement brought into the European political arena against the dominant neoliberal ideology. I end this chapter

with an overview how the Right2Water movement combated water injustices and contributed to advance water justice in Europe.

In Chapter three I examine the case of Greece. The case focuses on the city of Thessaloniki that was under threat of a forced privatization of the water company and how people and local organizations mobilized against this privatization. The water workers' trade union would take the lead in mobilizing people; the first step in what became a movement later. In 2013 'SOSteToNero' (SOS for water) was set up by the same water workers that united with civil society organizations. They made the link between the European Right2Water movement and the fight against privatization of the water companies in Greece.

Chapter four shows how the struggle for water is also a class struggle in Spain. Here, the European Right2Water campaign coincided and merged with anti-austerity protests of *"indignados"* and supported growth and broadening of a water movement in Spain. In this chapter I analyze five local-regional cases of water struggles (Madrid, Valladolid, Terrassa, Barcelona and Andalucía). I analyze media attention for these struggles and I identify temporarily outcomes.

In Chapter five I examine the case of the Netherlands. This case study is made up of two large interviews with important actors in water services provision: Piet Jonker, the former chairman of the water company "Dunea" and the Dutch employers' organization of water companies (WWB), and Satoko Kishimoto, activist in the Transnational Institute (TNI) based in Amsterdam and former coordinator of the Reclaiming Public Water Network (RPWN).

In the final chapter, the discussion entwines theory and empirical case studies, and deploys the global framework that I have outlined in section 1.3. Here I provide the insights that I gained, both conceptual as well as empirical with regards to the European Right2Water movement, its rise, strengths and weaknesses. Next, I will answer the questions that I have outlined in section 1.4, in paragraph 6.2. After that I reflect on the conceptual framework and its contribution and limitations to understand the Right2Water movement, and the relevance of my contribution to academic research on social movements in paragraph 6.3 and 6.4. In paragraph 6.5 I reflect on my personal development in the period from the start of the Right2Water campaign to the finish of this thesis. At last, I draw a final conclusion by answering the main question.

In the epilogue I discuss the evolution of water policies and struggles from the UN declaration in 2010 until the UN 2023 water conference with a few country specific highlights.

2. Water justice and Europe's Right2Water movement[8]

Figure 2.1 Fountain event at Trevi Fountain in Rome, 21 June 2012 (photo EPSU).

[8] This chapter is a revised version of the article published as: van den Berge, J., Vos, J., & Boelens, R. (2022). Water justice and Europe's Right2Water movement. *International Journal of Water Resources Development*, *38*(1), 173-191. https://doi.org/10.1080/07900627.2021.1898347

2.1 Introduction

Around the world many people and organizations are struggling for access to drinking water, as a basic need for survival. Contemporary challenges and sufferings that combine the climate change and water crises with the pandemic Covid-19 crisis have accentuated and exacerbated these struggles in many places. They also intensely reveal most societies' inequalities in access to clean water and sanitation. Simple handwashing with soap can fight the spread of coronavirus but appears to be a luxury that majorities on the planet cannot afford. In 2010, the United Nations General Assembly recognized the Human Right to Water and Sanitation (HRWS) and the SDG 6 objective is that by 2030 all people should have access to clean water and sanitation. However, still over 2 billion people lack access to safe drinking water and over 4 billion people do not have adequate sanitation facilities (UNICEF and WHO, 2019; Cooper, 2020). In a vicious circle, due to Covid-19 the most vulnerable groups are suffering now even more from lack of clean water as it makes them more vulnerable to the pandemic (Corburn et al., 2020; Mehta and Ringler, 2020). In most places of the global South, vulnerable groups such as women, economically poor, particular age and educational groups, or specific caste, ethnic or cultural groups are hit hard. Women, in particular, are vulnerable and face increased work burden and health risks (UN-Women, 2020).

These drinking water and sanitation access problems, although often more apparent and severe in many regions in the Southern hemisphere, are not restricted to these countries alone. In the global North access to clean water and sanitation is also a problem for vulnerable groups, like migrant workers, homeless and illegal migrants. Working conditions and access to sanitation are importantly class-differentiated as the current pandemic figures show (Mehta and Ringler, 2020; UN Women, 2020). Differential wealth, education and labor backgrounds, along with race, class, gender, or immigration status, in both the North and South influence differential exposure to water and health insecurities (Tortajada, 2010; Mirosa and Harris, 2012; Crow et al., 2014).

In this chapter we focus on the recent pre-pandemic initiatives regarding the struggle for the right to water and sanitation in Europe, which has received less attention in literature (Bieler and Jordan, 2018; van den Berge et al., 2018). This gives the background to understand the current crisis and citizens reactions to challenge that situation, defending overall safe drinking water and sanitation access. In particular, we focus on why and how the European Federation of Public Service Unions (EPSU) started a European Citizens' Initiative (ECI). This was triggered by the above-mentioned 2010 UN resolution on the Human Right to Water and Sanitation. Although in Europe access to water is relatively well-organized (UNICEF and WHO, 2012, 2019), problems with water supply are certainly not absent and often related to aspects of quality and affordability (Hall and Lobina, 2012a; Chong et al., 2015).

Privatization of drinking water service provision can take many forms, ranging from supply and civil works contracts, to management contracts, leasing, and BOT and PPP concessions. Overview studies on the effects of privatization in the drinking water sector show mixed outcomes regarding prices, investments in infrastructure and quality of service (e.g. Prasad, 2006; Bel and Warner, 2008; Hefetz and Warner, 2012; Hefetz et al., 2012; Chong et al., 2015;

Bel, 2020). Hall (2014) and Hall and Lobina (2005, 2012b, 2012d) present a much more critical overview. They point at the increased regulatory costs for the government, many problems with contracting and monitoring private companies, and increased tariffs. The Right2Water movement argued that a market approach deepens water conflicts, threatens individual and collective rights to water, and that in this way, EU market policies increase water injustices.

The European Citizens' Initiative (ECI) was a new tool introduced by the European Commission in the Lisbon Treaty (European Commission, 2009) that came into effect on 1 April 2012. It would give an opportunity to citizens to put an issue on the European political agenda whenever the organizers of an ECI would collect one million signatures from people in at least seven different EU member states within one year. As soon as they heard about the opportunity, EPSU took up the challenge and organized an ECI. They chose the human right to water as their issue for an ECI (EPSU, 2009). This choice was socially urgent and strategically important since it would justify the demands of marginalized population groups for access to clean water and sanitation services and obligate governments to prioritize these services. Moreover, it attempted to alter discourses on and attitudes towards water services for the poor, from a matter of mere charity to a matter of institutionally and politically grounded entitlement (Gupta et. al., 2010; Barlow, 2015; Roth et al., 2015). This initiative became the start of a new movement.

Between April 2012 and September 2013, the European Citizens' Initiative (ECI) 'Right2Water' collected 1.9 million signatures across Europe, uniting people, cities and villages against water privatization. With that result it became the first ever successful ECI (EPSU, 2014; Bieler, 2017; van den Berge et al., 2018), simultaneously building a Europe-wide movement that enabled to put the water issue high on the European political agenda.

This chapter analyzes how the Right2Water movement fits in the global struggles for water justice and how it has contributed to EU water policy making, deploying a conceptual water/environmental justice movements lens (e.g., Fraser, 2000; Schlosberg, 2004, 2013; Zwarteveen and Boelens, 2014; Boelens et al., 2018). The chapter thereby analyzes the importance of Right2Water initiatives to change EU water supply and sanitation policies and the focus on commercialization of water services, a debate and struggle which currently prove to take on fundamental relevance in times of the Covid-19 pandemic crisis.

The chapter is based on archival and literature study and interviews with movement activist leaders, policy-makers, water rights scholars, NGO representatives, and leaders of local and national citizens networks across Europe.

The next section explains the water privatization policy approach of the European Commission as setting of the European water movement. The third section presents the claims made against privatization of water services by water justice movements and the rise of the Right2Water movement. The fourth section presents the relative success of the European Citizens' Initiative with regards to the demand of implementing the human right to water and sanitation. Section five describes the wider European impact of the Right2Water movement. In section six we present and discuss our conclusions and give an overview what the movement means for water justice in box 1 (p.50).

2.2 Struggles for water and sanitation in Europe

Across the globe, poor people in urban neighborhoods and rural areas suffer from lack of access to clean water and sanitation – a situation that is exacerbated by the current pandemic and the subsequent lockdowns (Corburn et al., 2020; Mehta and Ringler, 2020). For many, in particular in the global South, washing hands and keeping distance is very difficult and public water taps are places where contaminations take place. Moreover, the sharply reduced income of poor people because of the lockdowns also have made that they cannot pay for private water delivery services. The pandemic has exposed the weakness of public infrastructure and the danger of privatized water services. Many urban poor have lost their livelihoods and social safety nets, becoming high risk groups for Covid-19. Water security (cf. Zeitoun et al., 2016) is at stake. In most places, water flows uphill to the wealthy and those with influence (Franco et al., 2013; Swyngedouw, 2013; Roa-García, 2014, 2017; Hidalgo et al., 2017; Roca-Servat and Palacio Ocando, 2019). Water injustice can take subtle forms, but protests can be subtle too when activism moves towards policy formation. The case of the anti-water privatization movement in Nicaragua provides a clear illustration (Romano, 2012). The challenges for poor urban and rural communities present ongoing arenas of conflict, that continuously reemerge and have no end. Very common is the example of Ecuador: although water privatization is prohibited by the constitution, a new water law provided a legal basis for privatization of public and community water services. This caused tensions between local governments and social movements that previously achieved a halt to commodification of water (Goodwin, 2019). Challenges are complex. Describing various models of community governance of water, Dupuits (2019) analyzes how social movements use different discourses and invisibly may take over neoliberal principles and practices after gaining involvement in decision making processes (Dupuits, 2019). Continuous internal reflection and critical scrutiny inside water movements is essential. In this essay we show how the Right2Water movement is unique in Europe but not unique as a movement and carries signs of different social movements as well as different strategies in water struggles.

While the crisis is especially severe in these Southern contexts, vulnerable communities and families in Europe also suffer from the triple climate, water and pandemic crises. Understanding their particularities, problems and responses, in terms of vulnerabilities and struggles for access to water and sanitation, is fundamental since it shaped the background hydro-political configuration in which the current crisis could develop. Here, we focus on the recent history of Europe's water movement, importantly related to the rise of and protests against 'neoliberal water governmentality' (Bakker, 2007, 2013; Swyngedouw, 2005; Vos and Boelens, 2018). In Europe little activism on water supply and sanitation had been visible as it seemed that this was a problem in the global south, not in Europe. But water activists have been struggling with a growing trend of simultaneous deprivation and privatization of water services since the 80's, when neoliberalism in water governance was promoted first by the Thatcher government in the UK that turned water facilities into private properties (Hall, 2012a). Since then, the European Union proposed policies for liberalization of the economy,

including the water sector. The privatization experiments in the UK were seen as an example of how to shift to a more open European market. Treating water and water delivery services as economic goods was promoted by neoliberal policy advisors (European Commission, 2007). This rise of free market capitalism and simultaneous fall of communism unleashed a wave of utility privatization in the EU that was promoted by the International Monetary Fund and the World Bank (Hall and Lobina, 2005; Hall et al., 2011). As a result, a number of cities and countries signed over their nations' drinking water supply service provision to private companies (Hall et al., 2011). In France, most privatizations took shape in the form of concession contracts or so-called public-private partnerships (PPPs) where governments usually keep responsibility for the grid and the private company takes care of service delivery. As a consequence, water supply in France came into the hands of two multinational corporations that achieved millions of euros profit with their monopoly in the provision of a basic-needs public service (Suez, 2009). Trade unions in the public sector saw these developments with fear and anger because of job losses and loss of control for governments, and because of the increasing power for multinational corporations (Hall and Lobina, 2012a).

In accordance with the dominant neoliberal ideology in the European Union, privatization was seen as a form of completion of the European Single Market during the first decade of this century. It was promoted as a way to relieve state debts and spending by privatizing public water utilities and, most important, for companies to generate profit. The industry and investors argued that handing over water services to private companies would lead to increased investments in infrastructure and improved service quality and efficiency. Water activists, however, saw problems with water privatization and argued that it would lead to infrastructure investment reductions and environmental degeneration (Lawson, 2015). Moreover, the protest movement regarded loss of democratic control as well as issues of accountability and affordability as problematic. They claimed private companies failed to deliver on their promises of better and cheaper services (Balanyá et al., 2007; Bakker, 2010; van den Berge et al., 2018). They also problematized the increased tariffs that global water corporations have raised in many cases beyond the reach of poor households, while profits have been taken abroad and jobs have been lost (Balanyá et al., 2007; Hall and Lobina, 2012a). The Right2Water movement pointed to Paris to show problems with privatization of water services, such as restricted competition to capture local markets and the exploitation of asymmetric power and monopolistic behavior at the expense of consumers, workers and the environment (Le Strat, 2014; Lobina, 2015; Lobina et al., 2019). Privatization of water supply and sanitation takes various forms that in the view of Right2Water are all coming down to transfer of control and power over water supply from local governments or public authorities to private companies. In the UK it consisted in the complete sale of the water system to private companies, in France privatization took place through concessions.

In the second decade of this century the European Commission continued its path in promoting privatization of water supply and sanitation, especially in the framework of austerity measures as an answer to the economic crisis that emerged after the collapse of the financial system and several banks in 2008. The Commission imposed privatization of water services as one of the conditions of bailouts to crisis-hit countries (CEO, 2012; Zacune, 2013; Kishimoto and Hoedeman, 2015; Bieler and Jordan, 2018). In 2011 the European Commission

made a new attempt to further liberalize the services sectors in Europe by means of a proposal for a 'Concession Directive' (European Commission, 2011a). With this directive, the Commission sought to provide a harmonized legal framework for awarding concessions contracts to public authorities in direct alignment with economic operators and market rules and forces (European Commission, 2011a). As mentioned above, an EU single market policy was to be installed across the union (Tosun and Triebskorn, 2020). The directive would not directly force municipalities to privatize their water services but, according to the Right2Water activists, they would have to offer their water contracts for EU-wide bidding and create a European water market that would benefit especially the French multinationals. In practice, this would lead to a 'privatization through the back door' (CEO, 2013).

2.3 Claims for water justice in a neoliberal policy-setting

Intense academic debates, hydro-technological modernization processes and legal-institutional policy reforms coalescing in diverse forms of neoliberal water governance provide the background to these last decades' powerful trends towards Europe's water governance model; we will not detail them in this chapter (for discussions, see e.g.: Espeland, 1998; Swyngedouw, 2005; Castro, 2007; Solanes and Jouravlev, 2007; Achterhuis et al., 2010; Bakker, 2010; Hall et al., 2011; Harris and Roa-García, 2013; Vos and Boelens, 2014, 2018). In brief, neoliberal policy advisors promote treating water as an economic good. According to this logic, policy measures such as privatizing water and water service provision, granting concessions to operate distribution networks, and implementing full-cost recovery in water service pricing would lead to improved water service, increased fee recovery, increased investments in infrastructure, and more efficient operation and maintenance.

In recent years, in various parts of Europe protests have been organized to end privatization of drinking water utilities or call for termination of the contracts. Popular protests in Berlin are an example, they occurred in parallel to the ECI, just as massive mobilizations in several cities in Spain. The Right2Water movement claimed that privatizing public utilities often failed to benefit water users. Rather, tariffs hiked, investments in infrastructure lagged behind and quality of service provision did not improve in the UK nor in France (see also Hall and Lobina, 2005, 2008). In many cases companies faced disappointing returns and retreated from some countries and intensified investments in more profitable regions or tried to turn to more profitable service concession contracts (Bakker, 2010; Hall et al., 2011; van den Berge et al., 2018). In Berlin, the water rate had risen by 21% between 2003 and 2011 (Beveridge et.al., 2013). The concession contract between the city of Berlin and two multinationals (RWE and Veolia) was kept secret. People, united in the "Berliner Wassertisch" (the local group that joined the Right2Water movement), demanded disclosure of the contract in court, because they wondered why the people in Berlin were paying so much more for water than people in other cities in Germany. Disclosure of the contract revealed that it guaranteed the annual profits for the companies (Beveridge et.al, 2013). This case fueled the Right2water movement.

In many parts of the world drinking water companies have been 're-municipalized'. By 2014, worldwide over 180 water utilities had been returned to public management (Kishimoto et al., 2014). There are different reasons for this remunicipalization, but some of the main causes are: the social protests, the meagre service provision results for the users, and the high costs of regulation (McDonald, 2018). The remunicipalization of the water company in Paris and several other cases of remunicipalization in France served as examples for other cities to follow. The case of Paris showed that after remunicipalization, the 35 million euros profit that was taken out each year by the two multinational corporations, was re-invested in the service or returned to citizens through lower prices (Le Strat, 2014).

For the Right2Water campaign and movement (neo)liberalization of drinking water and sanitation services in Europe formed the key social and political reason to organize. The movement was inspired by and tried to build on the referendum against the privatization of water services in Italy in 2011 that was organized by the Italian Water Movement. With the slogan *"water is a public good; not a commodity!"* it took position against private enterprises looking only for how to make profit. The initial idea for its slogan was "*water is a common, not a commodity".* This was supported by Southern Europeans (especially the Italian Water Movement that already spoke of "Acqua Bene Commune"), but this was not understood by Northern Europeans among the campaigners who asked: *"what is a common?"* Because the public service unions and EPSU had large part in the organizing of the European Citizens' Initiative, they claimed for *"public good",* having the word public in the slogan to express their struggle and stance in defense of the public sector and public interest.

For the movement it was clear that, water being considered a public good, would exclude the option of privatization of water resources (Budds and McGranahan, 2003; Bakker, 2013). However, privatizing the water service provision may take on many subtle or less subtle forms (Lobina, 2014, Boelens et al., 2018; Sanchis-Ibor et al., 2018; García-Mollá et al., 2020). Right2Water opposed the idea of private capitalist entrepreneurs providing public services on a European market. They argued that publicly owned water institutes will be held accountable to and feel responsibility for the public, whereas private companies would only be accountable to their shareholders. In their view, control over water services in any form of privatization will generate perverse incentives whereby companies first look for making profit, not for respecting basic human rights or the public interest. This was expressed clearly by Gerard Payen, chairman of Aquafed, the association of private water operators, at the World Water Forum in 2012 in Marseille, when he firmly stated: *"No money, no water"* – on the question of whether water services can be provided for free to the poor. The movement argued that private companies have a history of failures in meeting both their commercial goals and social objectives (see also Braadbaart, 2007; Hall and Lobina, 2012a, 2012b; Lobina, 2015).

Matters of justice comprise issues of recognition, redistribution and representation (Fraser, 2000): recognition for the group or people that experience injustice – including their norms, values, cultures, worldviews; redistribution as an answer to acknowledge that maldistribution of water and water-related privileges, infrastructures and funding deeply proliferates inequality and injustice; representation of the marginalized, oppressed, and victims of

existing unfair water control forms, to make their voice heard and make sure they are part of designing water governance futures. All three aspects need to be addressed simultaneously in order to achieve justice. Schlosberg (2013) and Zwarteveen and Boelens (2014) add a fourth component, ecological integrity, to prevent that justice for now is achieved at the expense of justice for future generations (see also Boelens et al., 2018). In order to achieve justice, the underlying processes that cause injustice need to be understood and confronted. Right2Water acted upon the fact that around 10 million people in Europe were facing lack of water or sanitation (UNICEF and WHO, 2012). In fact, the call against liberalization is related to the marketization and pro-privatization policies of the European Commission. Still, though neoliberal thinking and privatization were the key issues to react against, the P-word needed to be avoided in order for the ECI to be within competence of the European Commission (and not to be turned down beforehand), but this was generally understood as one and the same.

Social, environmental or water justice movements address injustices both at the individual and community levels (Schlosberg, 2013). This is also the case for Right2Water. As we show, Right2Water also aimed to transform the dominating practice of services provision in Europe via a market, to public provision promoting remunicipalization and public to public partnerships (PUPs). This was presented as an alternative for the public-private partnership (PPPs) promoted by international financial institutions and private companies (Hall, 2014; Shah et al., 2018). This attempt to transformation of production structures and consumption environments characterizes environmental justice movements (Schlosberg, 2013). In this sense Right2Water did not only build on environmental justice movements' notions, but also joined them. Right2Water promoted PUPs with the argument that they avoided the risks of transaction costs, contract failure, renegotiation, the complexities of regulation, commercial opportunism, monopoly pricing, commercial secrecy and lack of public legitimacy; risks that are all inherent to PPPs (Lobina and Hall, 2006; Hall, 2014).

Water (in)justices entail both water quantities and qualities, as well as access to and distribution of water privileges and forms of control over water (e.g., Romano, 2017; Dupuits, 2019; Goodwin, 2019; Prieto López et al., 2021). This entails also that water conflicts include questions about decision making, authority and legitimacy. These are intimately linked to the struggle over discourses, favoring particular water governance notions and policies while obliterating others – in terms of thinking about and acting upon 'water' (cf. Foucault, 1980; Forsyth, 2003; Zwarteveen and Boelens, 2014). Taken together, the European Commission's above-mentioned neo-liberal discourse favors market-based solution to problems of injustice that are caused by the market. Fighting the injustice of water supply in Europe, therefore, means that not only injustices in terms of distribution, recognition and representation need to be addressed, but also the discourse that deeply sustains and legitimizes these water policies and governance practices.

2.4 Social movements and the Human Right to Water

Water movements do no start from scratch but are built up, often decades before, through a combination of diverse forces, actors and events; high- and low-profile. Right2Water was built upon the Italian Water Movement that successfully organized a referendum against water privatization in Italy (Fattori, 2011; Carrozza and Fantini, 2016). The referendum had an enormous turn-out and 26 million persons voted "NO" to putting water services in private hands (Fattori, 2013) (figure 2.2 and figure 2.3 (p.44)).

Figure 2.2 Posters for the referendum for public water, against privatization of water in Italy, 2011.

Right2Water took over the assumption that privatization puts "profits over people" and started to build a coalition as the Italian Water Movement did before. The Italian Water Movement framed its struggle for public water services and public water property as a definitive combat for democracy (Carrozza and Fantini, 2016). The privatization of water, a common good, was seen as a direct attack on democratic decision-making over people's most fundamental and vital resource. *"Write water but read democracy",* was the motto used by the Italian alliance that gained country wide support (Fattori, 2011). In order to form a broad campaign coalition, EPSU and its trade unions needed support from Non-Governmental Organizations (NGOs) with campaigning experience. First allies were found in water activists in the existing water justice network: people and organizations that had campaigned against commodification, commercialization and privatization of water since the 1990s (van den Berge et al., 2018). Other networks like the European Public Health Alliance (EPHA), the European Environmental Bureau (EEB), Women in Europe for a Common Future (WECF), Food and Water Europe (FWE), the European Anti-Poverty Network (EAPN) and the Federation of Young European Greens (FYEG) joined Right2Water because they shared an interest in protecting water as a public good and for a wider public interest while sensing an injustice in EU neoliberal water policy in which either workers, nature, women, the poor or future

generations pay the price for commercial water services in which private companies can accumulate the benefit.

Figure 2.3 The Italian Water Movement in the demonstration during FAME 2012 in Marseille. On the flags: "My vote will be respected", referring to the Italian referendum.

Official and alternative World Water Forums inspired action in diverse ways and directions, in particular around Millennium Development Goal (MDG) 7 that focused on halving the proportion of the global population without access to water and sanitation (MDG, 2002). Access to water as a target was soon extended to access to sanitation, giving recognition to the fact that the supply of water is inextricably linked to dealing with waste water and securing health services (UNICEF and WHO, 2012). To reach the goals several actions were taken by the United Nations. One important step was to name an Independent Expert on the Human Right to Water and Sanitation in 2008 (Human Rights Council, 2008). The first was Catarina de Albuquerque, whose position was extended to Special Rapporteur. Her office distinguished five aspects of fulfilling the Human Right to Water: accessibility, availability, affordability, acceptability and quality (De Albuquerque and Roaf, 2014). Moreover, five human rights principles need to be addressed in order to fulfil the Human Right to Water and Sanitation for all: transparency (and information), accountability, participation, equality (and non-discrimination) and sustainability (De Albuquerque and Roaf, 2014). The second important step the United Nations took was the adoption of the resolution 64/292 on recognition of the Human Right to Water by the General Assembly, on 28 July 2010. (UNGA, 2010)

This last step gave new momentum to local water grassroots and activists struggles around the world. Recognition of the human right to water and sanitation puts responsibility on governments: they become the duty bearers of human rights to ensure water and sanitation for their population. On the one hand, this provided activists with a tool to claim their rights (Gupta et al, 2010; Barlow, 2015), on the other, it provided water companies (as service providers) with a tool to sell their services to governments and for marketing their business (See also Bakker, 2007, 2013; Goldman, 2007, van den Berge et al., 2018). The human right to water is conceptually ambiguous in what it constitutes (Bond and Dugard, 2008; Sultana and Loftus, 2011). It does not speak out on amount of water for personal and domestic use, nor beyond domestic needs and whether it is compatible with water commodification or privatization (Mehta, 2014; Radonic, 2017). This ambivalence – important opportunity and forceful threat – triggered intense debates and calls for action. The ECI was to be mobilized for this purpose.

The ECI is a tool established by the Lisbon Treaty (European Commission, 2009). It gives people an opportunity to bring an issue to the European political agenda if they manage to collect over one million signatures in one-year time, from at least seven countries with a minimum for each country (European Commission, 2011b). An ECI can either propose a legislative text or propose an issue and leave it to the European institutions how to deal with it. Right2Water promoted the legal enforcement of the human right to water and sanitation in Europe. The ECI organizers urged to the European Commission to do so in three ways: 1º a 100% coverage of water and sanitation provision to all of Europe's inhabitants; 2º: a stop to liberalization of water services; and 3º: a far stronger effort by the European Union to realize global universal access to water and sanitation. The second objective was fundamental movement, as it directly addressed the neo-liberal policies of the Commission. The higher purpose was to change the EU market approach to a more people-oriented, social approach in water policy (van den Berge, 2014; van den Berge et al., 2018). The trade unions saw in the ECI an opportunity to revive their struggle for a more social Europe and against privatization of public water services (EPSU, 2011). With the United Nations resolution on the human right to water in their hands they argued that private water companies lack affordability, accountability and equality in their service provision and lack participation and transparency towards an essential public service. These elements suited their strategy to use the human right to water as their tool in fighting liberalization and consequently privatization.

The ECI 'Right2Water' started at a moment that the financial crisis was hitting Europe in the summer of 2012. Many countries were still in recession and the EU announced tough measures to countries that did not comply with financial discipline as agreed in the Eurozone. Austerity policies were enforced across EU member states, including pressures towards further privatization especially on the countries in the EU's periphery such as Greece, Italy and Portugal (Hall and Lobina 2012a; Fattori, 2013; Zacune 2013; Bieler, 2015). By insisting on the privatization of water utilities the Commission (as part of the Troika) violated the neutrality that the European Union is assumed to adopt with regards to issues of public or private ownership of water services and the right to public participation in decision-making in EU member states (CEO, 2012; Fahsi, 2012).

2.5 The impact of the Right2Water movement

The first result that Right2Water achieved was the exclusion of water from the scope of the Concession Directive. This was decided in June 2013 at a moment that Right2Water collected over one million signatures and the European Commission felt the urgency to respond to the public pressure that Right2Water had evoked (European Commission, 2013; EPSU, 2013; Fattori, 2013; Limon, 2013a).

In March 2014, the European Commission responded officially to the Right2Water ECI. In a 13-page communication, the Commission manifests that it recognizes that water is a public good (European Commission, 2014, 5). Although this constitutes an acknowledgement of what Right2Water had claimed for and a triumph for the movement, this was actually already achieved halfway the campaign (European Commission, 2013; EPSU, 2013). The Commission stated that it always "played a positive role" to strive for access to safe and clean drinking water for all, in or outside of the European Union (European Commission, 2014, 7). Furthermore, the Commission answered that "affordability of water services is critical" but in hands of National authorities and that provision of water services is a responsibility of local authorities (European Commission, 2014, 4, 5). In short: The Commission's response implicitly said that implementation of the human right to water is an issue for member states. It would not change or amend any existing legislation. This response was a big disappointment for the Right2Water movement (EPSU, 2014). The answer basically entailed that the Commission had already accomplished much in improving the access to water and sanitation in Europe and globally (European Commission, 2014). The Commission played down on its role and simply denied its own responsibility in European water policies. The Right2Water movement insisted that creating a market in water services means allowing for private companies to own and commercialize public water services, which exposed the double standard of the European Commission (Fahsi, 2012; CEO, 2013; Cauwenberg, 2015).

After receiving the answer from the Commission, the European Parliament made clear that in their view the Commission had fallen short in its response to Right2Water and started an initiative to bring the demands of the movement back on the agenda (European Parliament, 2015). The Commission announced to hold a consultation on drinking water, something they could have done even without the ECI and which did not really address the main objectives of the ECI (Conrad, 2014). A more concrete result finally came in 2018 when the European Commission revised the Drinking Water Directive as an outcome of both the public consultation as well as the European Parliament initiative, but which the Commission itself calls "*a direct reply to the European Citizens' Initiative 'Right2Water'*" (European Commission, 2018b). For the first time the European Commission acknowledged the existence of marginalized groups and took its role in putting an obligation for EU countries to improve access to safe drinking water for all and to ensure access for vulnerable and marginalized groups in its proposed Drinking Water Directive (European Commission, 2018a, 2018b). A year later the Commission says that *"it aims to improve the quality of drinking water and access to it as well as provide better information to citizens"* (European Commission, 2019).

Such issues went even beyond the demand of Right2Water – despite of the fact that materializing the human right to water and sanitation in Europe is, still, not a generalized reality.

The fact that Right2Water had been based on and supported by a broad alliance of trade unions, social movements and NGOs across the whole 'social factory' was crucial (Bieler, 2017). Not only for campaigning purposes but also because several different forms of injustice in water were experienced by different groups and could be linked to EU water policy. Having such a broad alliance was both a weakness and strength. It combined forces, influence and different motives across countries, but diverging interests also hindered cooperation as each ally had other priorities (see also Dupuits et al., 2020; Vos et al., 2020). Ultimately a diverse group of nearly 250 organizations supported the campaign, making it a new multi-scale movement (van den Berge et al., 2018).

For the Right2Water movement, water services are essential to all people and cannot be liberalized. The movement argued that where market mechanisms determine who receives water and what quality of water people get, the gap between rich and poor increases and inequalities are consolidated (van den Berge et al., 2018). In his report on the 10th anniversary of the Human Right to Water and Sanitation, the UN Special Rapporteur Leo Heller concluded that privatization of water services carries three risks for realization of the Human Right to Water and Sanitation. These risks are in the natural monopoly of water services, profit maximization and power imbalance between public authorities and private providers. The power imbalance is especially problematic in cases where local authorities have to negotiate a concession for water services with a multinational corporation (Heller, 2020).

Right2Water made important steps in influencing EU water policies. The European Commission attributed the recast drinking water directive to Right2Water (European Commission, 2018b). The Commission also accepted and subscribed to the fact that "water is a public good, not a commodity" (European Commission, 2013; European Parliament, 2015). This was publicly acknowledged by many politicians after the successful ECI, therewith changing the discourse on water provision from market-oriented to more public-oriented. Amongst others, because of the claims and actions of this broad, multi-actor and multi-scale movement, the European Commission is slowly changing discourse.

Water justice, to this respect, indeed can be conceptualized not just as a particular state of water affairs but as a multi-actor process to collectively change water-based materialities and discourses, involving re-distribution, recognition, representation, and ecological integrity. It combines struggles against water-based forms of dispossession, cultural discrimination and political exclusion with critical exploration of water governance and knowledge production (Boelens, 2015, 34). For Right2Water it meant an engagement across differences combining grassroots, academic and policy action (Schlosberg, 2004; Zwarteveen and Boelens, 2014; Dupuits, 2019; Goodwin, 2019). The roles played by this more solidary, non-commodified water and sanitation configuration during the current pandemic crisis and, on the other hand, the neoliberal government-mentalities and practices that constantly re-emerge to make (ab)use of crises, is the key theme now to be investigated.

2.6 Discussion and Conclusion

Right2Water used the human right to water as a strategic-political tool to fight privatization, not to institutionalize a new formal standard. This was shown in the focus on the demand to halt liberalization and the building on the Italian Water Movement at the start of the campaign. By building on the Italian example, Right2water moved from the individualized human right to drinking water to the public (common) good of water resources and water services. From the Italian movement, Right2Water took over the idea of building a democratic political framework for organizing and defending public water services. The Italian water movement clearly tried to change the discourse on water provision with its slogan: "Write Water, Read Democracy". Right2Water used its own: "Water is a public good, not a commodity". This was well understood by people in Germany, Austria, Slovenia, and several other countries when they realized that the proposed Concession Directive was a threat to their local public water services. The massive support for Right2Water in these countries was linked to the threat that was felt because of privatization and liberalization dangers, more than the very discourse of "human rights". In Greece, Spain and Italy, it was the direct threat of imposed privatization that was felt as injustice and created broad and mutual support for Right2Water. Privatization has in several cases led to increasing inequalities and problems with affordability. With profit as the main objective, the idea of water as a human right arguably became a secondary concern for private operators. Right2Water was in fact 'shopping' in human right aspects and principles that fit the struggle against privatization. In this sense the campaign was as little consistent as private sector PR or European Commission speak, but its arguments were much later, in 2020, recognized by the UN Special Rapporteur. The Commission's response shows its misconception of water justice and its agnostic interpretation of the human right to water. It ignores the contradiction in its liberalization and privatization policies that the European Commission imposes on EU member states. At the same time the Commission is calling it a member states' obligation to fulfil the human right to water and says it is willing to support member states. The response that the Commission sees its role in ensuring access to water supply and sanitation as 'positive' is in sharp contrast to the role it played in imposing privatization to Greece, Portugal and Italy.

The discourse on water did change with the acceptance of water as a public good during the campaign of Right2Water. Forced by citizens' alliances policy makers acknowledged that quality water services for all EU inhabitants are a matter of justice, not of markets. In terms of water justice this is an important achievement: as we have argued, injustices cannot be solved by fighting aspects of inequality and maldistribution alone. Water justice matters equally involve the challenges of recognition, representation, ecological integrity, all strengthened (or threatened) by particular water truths or discourses. Discourse is part and parcel of (in)justice. In the words of the movement, as long as the European Commission insists on its discourse that water services can be provided via a market it will maintain market-induced injustices. Recognition of water as a public good is certainly advancing water justice. However, implementing such water justice notions goes beyond just legal and policy

proclamations and continues to be subject to socio-political arenas and struggle. The struggle in Europe is and will still be taking place as long as the neoliberal ideology and discourse dominates public debate (box 1, below).

The Right2Water movement argued that many of European countries' so-called integrated water governance frameworks actually may exclude less privileged population groups from access to affordable water. Acknowledgement of this came with the revision of the Drinking Water Directive in 2018. Finally, the European Commission made a gesture towards vulnerable and marginalized groups by putting an obligation for, and providing financial support to, EU countries to improve access to safe drinking water for all. The pandemic crisis and its close relationship with vulnerable people's abilities to access water and sanitation has shown to be the ultimate litmus test to see if Europe's words on social inclusion are more than just words.

Box 1. Right2Water: Seven key questions on Water Justice

(1) For whom? (e.g., the affected people(s) and their places);

The Right2Water movement and its struggle is relevant to all people in Europe and globally who see their right to water threatened by corporations that put private (profit-)interest over public interests.

(2) To what? (e.g., access, availability, water quality, and sanitation);

This chapter shows that water injustice does not only occur in terms of access but also in terms of discourses and principles of transparency, accountability and participation. Changing the discourse can change (perceived) injustice.

(3) Where? And at what scale? (e.g., location/spatial and also the human scale such as individual, community, and national scale);

Right2Water argues that injustice takes place in Europe when people and especially the most vulnerable do not have a say and influence in the provision of their most essential need: water. This 'say' (i.e. participation) is relevant in all EU member states, and goes beyond the level of water-access-for-all alone. In some cases, it is locally visible when people stand up (Berlin), but more often it happens unseen in political processes or in contractual arrangements between multinationals and local authorities.

(4) When? (e.g., current situation, lessons from the past, future actions for justice and sustainability);

Right2Water arose at a time of financial crisis and harsh austerity measures in Europe early in this decade, but it was not only the people that suffered who joined the movement. This is shown by the interest that people in countries as Germany or Austria took in joining the Right2Water movement. Awareness of political aspects of water services and the link between EU water policies and local provision rose during the Right2Water campaign and is a condition for actions for justice and sustainability.

(5) Why? (e.g., what historical, political-institutional, socio-economic and other frameworks or perspectives provide an explanation for water injustice);

The "Single Market" remains the main objective of the European Commission and as long as this continues and EU water policy remains market oriented, the Right2Water movement and activists will continue their struggle, because of the injustice that is felt when corporate interests are (in their view) better served than public interests.

(6) How? (e.g., which drivers of water injustice should be prioritised? what scope is there to mitigate water injustice within existing responses and governance structures?);

In the eyes of Right2Water, to mitigate this injustice a policy shift away from the path of commodification and privatization is a way forward. Three factors that can drive injustice must be addressed. These are: profit maximization, power imbalance and the natural monopoly of water services provision.

(7) Which actions are required? (e.g., ethical decision-making, unequal power relationships, dispossession, and disenfranchisement, etc.).

A change in discourse is only the start of a more solidary and stable society that is the foundation on which to face the water crisis. Putting words into practice is the next step that the EU and governments must take.

3. Citizen mobilization for water – the case of Thessaloniki, Greece[9]

Figure 3.1 Greek activists have climbed a hill near Lake Marathon and put a banner "Water is life, not for sale" to protest against the sale of Greek water companies.

[9] This chapter is a revised version of the chapter published as: Van den Berge, J., Boelens, R., & Vos, J. (2019). Citizen mobilization for water: the case of Thessaloniki, Greece. In *Water Politics* (pp. 161-174). Routledge.

3.1 Introduction

The European Citizens' Initiative (ECI) 'Right2Water' collected nearly 1.9 million signatures between September 2012 and September 2013 to put the Human Right to Water and Sanitation on the European political agenda. By means of an ECI people can bring an issue to the European political agenda if they manage to collect over one million signatures in one-year, from at least seven EU countries, with a specific minimum for each country (European Commission, 2011b). A broad European civil society coalition called for the European Commission to develop legislation that would ensure the realization of the human right to water and sanitation across member states. Further it called for the Commission to contribute to universal access to water and sanitation for all and a halt to the liberalization and privatization of water services. Right2Water united a huge diverse group of over 250 organizations and was supported by thousands of people that campaigned all over Europe. It gave a new momentum to social movements that were active on water issues and extended the focus of some of the social movements that did not pay attention to water until that moment.

The ECI passed the threshold of minimum number of signatures in 14 of 27 countries in which it campaigned. One of the countries where Right2Water was successful was Greece. In the end 36,000 signatures were collected against a threshold of 16,500. It was a remarkable result because in the first instance, from September 2012 until March 2013, no signature had been collected in Greece (figure 3.2 (p.54)). Trade union contacts in Greece noted that Greek citizens were disconsolate at the time because of the austerity measures imposed upon the country and the crisis situation. This changed when, during the second round for the Greek bailout, privatization of the water companies of Athens and Thessaloniki became one of the top priorities in the measures proposed by the Troika of the IMF, the European Union and the European Central Bank. Water privatization was pushed especially vis-à-vis Greece and Portugal (Hall and Lobina, 2012a; Bieler and Jordan, 2016). Right2Water had by then gained a lot of media attention and support of many people in Europe as the conflict with the European Commission proposal for a concession directive was exposed. Liberalization of water services was part of this directive and was explained as a 'privatization through the back door' by Right2Water campaigners. This co-incidence appeared to be a significant influence on both campaigners in Greece as well as for campaigners at European level. Signature collection sky rocketed in two months and this did not go unnoticed in Greece. In Thessaloniki people organized among different lines to protest against the Troika's measure of privatizing water and a clear link could be established between EU policy, water privatization and Greece. Seeing that in western European countries people protested against privatization of water services gave the Greek activists the boost that they needed to mobilize people against the Troika-imposed austerity measures that had almost knocked them down (figure 3.1).

The Right2Water movement campaigned against the intention of the European Commission to further privatize drinking water utilities in Europe. Privatizing water provision services was, and still is, encouraged by the International Monetary Fund and the World Bank, which makes

public-to-private takeovers a condition of lending. As a result, the early 1990s saw a rush of cities and countries around the world signing over their nations' water resources to private companies. It is argued by industry and investors that putting water in private hands translates into improvements in efficiency and service quality, and that services will be better managed (see, e.g., Bakker, 2011; van den Berge et al., 2018). Privatizing also provides governments with an opportunity to gain revenues by selling off water services, and for companies to generate a profit. But with profit being the main objective, the idea of water as a human right arguably becomes a secondary and often forgotten concern. In many cases, problems with water privatization often began to occur soon after the initial wave of enthusiasm – from lack of infrastructure investment to environmental neglect (Lawson, 2015). Privatization of water provision services can also lead to increased prices for consumers, lack of service, slack repairs and unequal access to the water service (Boelens et al., 2018). Although those who support neoliberal policies advocate a retreat of the state from the market, in reality, governments at national as well as European levels are closely involved in the processes of privatization: *"Without the various state levels paving the way and imposing conditions that guarantee privatization and then secure profitable operation afterwards, this accumulation by dispossession could not possibly take place"* (Swyngedouw, 2005, 89).

Water in Europe is subject to both European and national law: it is therefore a shared responsibility between the European Union and Member States, making it a suitable issue for an ECI. The initiative aimed to shift the focus of the European Commission from their market-orientation to a rights-based and people-oriented approach to water policy. Right2Water joined in the ongoing struggle for water justice that, in divergent ways, was framed and organized by many civil society groups, and it took a stance against profit-driven water companies with the slogan *"Water is a public good; not a commodity!"* (van den Berge et al., 2018).

Figure 3.2 Greek version of the Right2Water campaign poster

In Greece water services have been in public hands, as was established in water law in 1980. The water companies of Athens (EYDAP) and Thessaloniki (EYATH), that together provide more than half of the population with water services, are stock listed with a majority of shares owned by the state of respectively 61% and 74%. They are both well-functioning and economically-profitable water companies. The other half of water services are provided by municipal companies called DEYA.

Prior to the ECI, the human right to water had not been a subject of debate in Greek policies and the provision and management of water services was left to local levels. In 2010 the Greek government abstained in the vote at the United Nations General Assembly that recognized water and sanitation as a human right, without explanation (UNGA, 2010). The Greek constitution states that water sources, as vital to life, should be under public control. However, various governments have had plans for privatizing water services since the nineties following the European neoliberal approach to the economy, including the belief that the single market functions best if governments facilitate the operation of market forces and borders are opened without barriers for businesses across the whole of Europe. A privatization agenda has been part of the European agenda of opening markets in public services since the early nineties (Hall and Lobina, 2012a; van den Berge et al., 2018). Liberalization and privatization of local and national public services have been proposed by the European Commission since the Maastricht treaty in 1991.

3.2 The Greek crisis and water service privatization in Thessaloniki and Athens

Following the financial crisis, indebted countries within the EU, and especially Greece, Ireland and Portugal, were bailed out by the Troika in exchange for imposed restructuring of their national economies, including labor market deregulation, cutting of public sector employment and privatization of public companies (Lapavitsas, 2019). Italy too came under pressure in the second half of 2011, when Jean-Claude Trichet, then President of the ECB, and Mario Draghi, who succeeded him in November 2011, urged "*the full liberalization of local public services (…) through large scale privatizations*" (Bieler, 2015, 9).

The push for privatization in Greece during the Eurozone crisis took place in the framework of austerity measures as a supposed answer to the economic crisis (Zacune, 2013). Between 2008 and 2015, Greece's Gross Domestic Product fell by 29.6 percent (OECD, 2017). The Greek economy had the largest contraction of any advanced economy since 1950s (Financial Times, 2015). The severity of the economic downturn in Greece created a more explicit push towards the privatization of public water and sanitation services (Bieler and Jordan, 2018).

In 2010 the European Commission, together with IMF and ECB ordered the Greek government to sell a number of public assets as part of the (first) bailout, that is, extending financial support to the country to avoid bankruptcy (European Commission, 2010). The Greek government planned to reduce its shares in the water utilities EYDAP and EYATH to 51%. This privatization of water companies met with huge resistance. In Thessaloniki people from the trade union and employees of EYATH came together with local NGOs to discuss possible actions to prevent the privatization of the company. The trade union would take the lead in mobilizing people in Thessaloniki; the first step in what became a movement later. The most common argument against water privatization concerned tariff increases, which occurred in the vast majority of cases, making safe water inaccessible for many (Lawson, 2015).

The privatization of Greek state-owned enterprises was proposed to ensure a reduction in *"subsidies, other transfers or state guarantees",* while also leading to *"an increase in efficiency of the companies and an extension in the competitiveness of the economy as a whole"* (European Commission, 2011c: 33). Interestingly, the Athens Water Supply and Sewerage Company (EYDAP) and the water company of Thessaloniki (EYATH), both earmarked for privatization, have historically been profitable. As Yiorgos Archontopoulos from SOSteToNero stated: *"the forced privatization is providing an opportunity to foreign investors to take over our profitable and good functioning public utilities for a real bargain. In five years time the investment of 40 million Euros will be gained back through the annual and consistent profits of 8 million of EYATH"* (Archontopoulos pers. comm., 15 February 2018).

Greece's 'debt crisis' intensified existing social antagonisms, and consequently exacerbated conflicts. While elites and the mass media were trying to drag the population into a collective guilt trip over 'Greek people living beyond their means', a national social engineering operation was set in motion, dispossessing and excluding the bulk of the population. Most importantly, state assets and infrastructure were sold to the highest bidder. The wages,

pensions, labor rights and welfare arrangements of the popular classes were therefore slashed overnight (Karyotis, 2017).

Although Greece was not the only country affected by the crisis, it had nevertheless undergone one of the lengthiest and most intense programs of austerity in Europe after 2010. The framing of the crisis as "*a national and moral problem"* (Mylonas, 2014, 305) that can be blamed on an *"overgenerous welfare state"* and on *"the laziness of people"* (Pentaraki, 2013, 701) contributed to boosting authoritarian, nationalistic and xenophobic ideas and practices. The privatization of state assets has always been an integral feature of Greece's international bailouts. In three rounds of bailouts between 2010 and 2015 Greece faltered on promises to sell vital parts of its infrastructure – ports, airports, marinas and waterworks – in exchange for billions of euros in loans. Details of exactly what Greece was required to privatize emerged in August 2015, with the leaking of the 'Memorandum of Understanding for a three-year ESM program' prepared by the Troika (European Commission, 2015). The leaked document listed 23 state assets, ranging from airports to service utilities, and presented precise steps and timelines for privatization (HRADF, 2015). This list included two large public water companies: EYDAP and EYATH. Under threat of being forced out of the Eurozone, Athens agreed to transfer 'valuable assets to an independent fund (HRADF), with the aim of raising €50 billion (Macropolis, 2016). The privatization fund was the issue that almost forced a Grexit (Rankin and Smith, 2015). Resistance to privatization grew, forcing the new SYRIZA government to indicate that they would not cross this limit.

3.3 Resistance and the rise of social movements

The first initiatives in Greece towards politically decisive resistance over water service provision came from the country's second largest city, Thessaloniki. Here the preliminary steps towards privatization in 2007 were slowed down in part through the resistance by the water workers' union, which staged a four-day hunger strike during the city's international trade fair. The first tenders were eventually announced in 2009 and again the union – which, unlike most unions in Greece, had determinedly maintained its autonomy from all political parties – responded with a 12-day occupation of the company's main building. The water workers union's alliance with activists in Thessaloniki proved to be a foundation on which the growing anti-privatization campaign could build (Wainwright, 2013). The EYATH water workers union saw that privatization plans would not only cut jobs but would also make profits disappear. Being small in terms of citizen numbers, to change the political landscape they searched for coalitions with municipal actors and Civil Society Organizations (CSOs). The workers invested heavily in time to discuss the ideal water provision for citizens. Thus, when, after 2010, the proposal for privatization was brought back to the table (again) they had no difficulty in mobilizing people to combat this plan.

In the spring of 2011, Thessaloniki's *"indignados"* movement orchestrated a mass mobilization with well over half a million people taking to the streets to defy austerity and demand democracy. In particular the protest cohered around opposition to the push for

privatization. The water workers of EYATH and a group of citizens set up the "Movement 136" (K136, figure 3.3) to get water into the hands of the people. K136 opposed the privatization of the Water and Sanitation Company EYATH in Thessaloniki and proposed its social management through local-level cooperatives. The idea of K136 was that every water user would buy a non-transferable share. If one divides the estimated value of EYATH by the number of the users, the result would be the symbolic number of 136 euros, an idea born during the discussions that took place in Thessaloniki, in the so called White Tower assemblies of the 'squares movement' (known as the *"Indignados"*). The different movements decided to join forces in this common endeavor with four purposes:

- The acquisition of 40% of the shares and the management of EYATH by the citizens.
- Social control of the city's water provision
- Democratic operation of the company
- To strive for a non-profit based character of the company, in line with social policies and environmental protection[10]

Figure 3.3 Banner of Movement K136 – The water in the hands of citizens.

On 9 February 2012 the Greek Parliament ratified the second 'rescue' memorandum and turned it into State Law. With this law, all the privatization procedures that had been debated during eight months were accelerated, causing a severe deterioration in the standard of living of the Greek people and the selling off of national assets. Under the auspices of the International Monetary Fund and the European Commission, the Greek government put on public tender, among many others assets, the Water and Sanitation Company of Thessaloniki (EYATH), even though it had been an efficient and profitable company that offered quality water services for low prices, without ever reporting any financial loss (EYATH, 2016).

In 2013 'SOSteToNero' (SOS for water, figure 3.4) was set up by the same water workers that made the link between Right2Water and the fight against privatization of the water companies in Greece. They believed it was necessary to combat privatization both at the local as well as the EU level and gave the momentum to the ECI in Greece. They emphasized the importance of this struggle being part of a wider European movement (Bieler and Jordan, 2018). The EYATH workers' union was central to the establishment of this city-based umbrella social movement organization that brought together water, environmental and social

[10] See: Key points of the proposal for acquisition of E.Y.A.TH. by its consumers http://www.k136.gr/p/k136-in-english.html

activists and organizations. At the same time '*Save Greek Water*' was set up in Athens. Their argument was that water is essential to life and that selling the water company to foreign investors meant selling life. Even a partial sale could not be accepted. The president of the Thessaloniki water workers' union, George Archontopoulos, feared that private investors *"will be given management control as a present".* Therefore *"whether it is 49% or 51%, we oppose further privatization of the company"* (Kishimoto and Hoedeman, 2015). A water movement developing across Attica, the region of Athens, converged on this same target; the imminent threat of privatization. They insisted on the autonomy of their movement from all political parties which, in part, was the response to a history in which independent civil society had been suffocated by the two main political parties.

Figure 3.4 SOSteToNERO banner: SOS for WATER, it is a public good.

All Greek organizations united in SOSteToNero and Save Greek Water joined the Right2water campaign to show citizens how EU policy threatened local public control over water. At the same time, the ECI campaigners could point at Greece to indicate that European policies were undermining the confidence in and support for the European project. The success of developing a united front against the privatization of public water and sanitation in Thessaloniki meant that SOSteToNero had become an overarching social movement that coordinated the activities of all its constituent organizations (Bieler and Jordan, 2018). Individual activists of the Athens and Thessaloniki water company unions had developed novel political practices in an attempt to address the disconnection between their organization and wider civil society. They changed the framework in claiming their right to water, transforming their role from powerless citizens in a bankrupt country to self-confident people defining the way that the commons and their right should be governed (Kaika, 2017). This was part of a process of emancipating union activists "from the hierarchies, dependencies and pervasive forms of domination associated with a state operating through clientelism" (Wainwright, 2014, 27). Equally important, union activists shifted their political practice towards so-called 'social movement unionism' (Kretsos, 2011) – a form of unionism that attempts to integrate workers, trade unions and the wider labor movement into broader coalitions for social and economic justice (see also, Perreault et al., 2018). Such a strategy aligned with the building of a multi-actor and multi-scalar water movement in Greece: The water movement did not emerge alone. It was intrinsically related to the wider social, ideological and political movement that emerged during the 'Greek crisis'. For example, food distribution networks were set up, which inspired the K136 campaign (Calvário et al., 2017).

Right2Water came at a crucial moment. It took, however, time and endurance to show people in Greece that they were not alone in their struggle and to generate signatures for the European Citizens' Initiative Right2Water. In turn, Right2Water campaigners supported the Greek organizations in organizing a referendum against the privatization of the Thessaloniki water company EYATH. After seeing the massive support for Right2Water in the European Parliament (at the hearing on 17 February 2014), activists in Thessaloniki felt strong enough to call for a referendum. This confidence was not visible in Athens. On 18 May 2014, coinciding with the first round of the local elections, the citizens of Thessaloniki organized a popular, non-binding, referendum to give the chance for the people to express their opinion on the sale of the municipally-owned water company EYATH. The referendum was inspired by the Italian experience and succeeded in achieving the quorum. The Greek government, through a circular by Minister of the Interior Michelakis, declared 'illegal' the self-organized water referendum threatening the organizers with arrest for *"obstructing the electoral process"* (Save Greek Water, 2014; Right2water, 2014).[11] The volunteers behind the referendum announced that they would go ahead risking arrest by the police. Nevertheless, the 11 local mayors of the metropolitan area supported the referendum and denounced in forceful terms the attitude of the government. A thirty-person international delegation, many of whom were affiliates of the European Federation of Public Services Unions (EPSU), came to Thessaloniki to observe the referendum (EPSU, 2014). None of the organizers were arrested. Instead, the referendum resulted in a 98 percent vote against water privatization. This citizen-led initiative mobilized 218,002 voters and sent a crystal-clear message rejecting the planned sale of EYATH shares to private investors. In this light, the referendum can be seen to be the biggest success of citizen-led mobilization against austerity and in support of public water. In spite of this success, the Greek government ignored the outcome.

Situating struggles against water privatization in Greece and Portugal within an understanding of the commons became crucial (Bieler and Jordan, 2016). Indeed, the citizens of the group K136 against water privatization in Thessaloniki viewed the crisis as an opportunity to intensify the search for democratic alternatives. Working on an alternative model of how to run the city's water services, it emphasized the importance of a new form of democratic water management based on direct democracy and self-management (Steinfort, 2014). Theodoros Karyotis, one of the founders of K136, spoke of his experiences with the referendum saying:

"It was an empowering moment, where Thessalonikians felt that they have recovered a bit of the dignity taken away from them in four years of austerity and dispossession. Many people, disillusioned by the electoral process, went out just to vote in the referendum; it is unbelievable to see what great effect making one's voice heard on an important issue can have in a political system that systematically treats voters as clients and promotes apathy and resignation. This is another aspect where the referendum has been crucial: in creating political consciousness and collective empowerment." (Karyotis, 2014).

[11] http://www.savegreekwater.org/archives/4080 and http://www.right2water.eu/news/right-water-condemns-greek-government-obstructing-water-referendum

Karyotis warned against crying victory over the success of the referendum:

"Staying humble at this moment means: Recognizing that the movement is diverse and multitudinous; that no one person or group can represent or speak on behalf of the whole movement; that no one political party, mayoral candidate or group can claim credit for the outcome of the referendum; and most importantly, that the big common "NO" to the privatization is only a preamble to an open and democratic discussion about the future of water management and about the best possible way to ensure democratic participation, environmental protection, transparency and social justice in the provision of this valuable resource" (Karyotis, 2014).[12]

3.4 Who wins, who loses? (and what?)

The Greek government at first declared the referendum illegal although the organizers had the support of all eleven municipalities in the service area of EYATH in Thessaloniki. When the government rejected the outcome of the referendum, the EYATH water workers' union decided to go to court. In response, the Council of State decided that the government was not allowed to sell the water companies of Athens and Thessaloniki because such an act contravened the Greek Constitution: water and sewerage services were inseparable from the core State activity (Katrakaza et.al, 2016). In the end, the government decided to put a stop to the privatization of water services in both Thessaloniki and Athens (MacroPolis, 2014).

A remarkable aspect of the referendum was that it had the support of the local governments and local politicians across the political spectrum. Such organization was remarkable in spite of the opposition of national governments. Here we see that local authorities appear to develop a closer connection to people in understanding their needs and daily struggles during the time of the crisis, as opposed to a national State subject to elite capture and dominated by two political parties that had ruled Greece for over twenty years. There is also a difference in the interests between the local and national government. The national government is merely "obeying Troika orders" by imposing the sale of public water companies and slashing public services (Bieler and Jordan, 2018). Local government, however, has to provide these services, face local inhabitants and local public servants every day, witnessing the impact of austerity measures on local peoples while maintaining the trust and legitimacy of their political authority granted by local constituencies. In Thessaloniki the conviction of the inhabitants of the city was that water should be a common and public good. Commoditization and privatization of water involved, both in the eyes of the movements in Thessaloniki as well as in the Right2Water movement, crossing a line that should not be crossed. This was confirmed by the outcomes of the Referendum and of the European Citizens' Initiative (van den Berge et.al., 2018). Such proposals therefore led to a mass mobilization that crossed political lines and conventional political groups. There is however a clear aspect of class struggle in the sense that the referendum helped in creating collective empowerment and

[12] http://www.autonomias.net/2014/05/people-vs-corporate-rule-some-personal.html

raising the voice of workers and people while linking the water movement to the wider social movement that was rising.

Soon after, the Greek government had to call for new elections as it could not achieve support from the Greek population for another deal with the Troika on new austerity measures. This moment turned into a landslide defeat for traditional governing parties followed by the rise of the 'extreme' right wing and the two left-wing parties New Democracy and SYRIZA. The latter became the winner of the elections, gaining the support of the population to negotiate another deal with the Troika. Although it was said that conditions imposed by the Troika were 'too high', others argued that the new government had to give in to reach a new bailout. This apparent capitulation was a huge disappointment to the movements that had put their hope in the Syriza government. Syriza, during the elections, had promised a clear social policy to the people suffering from austerity measures imposed and from decades of governmental mismanagement. Before the election the party had campaigned with social movements against privatization, but once in government it changed its position. The Syriza government agreed a new deal with the Troika that included the sale of (23 percent of) the water company EYATH, plus management. Trying to downplay the sale by pledging that 51 percent would remain in government hands, the government were confronted by organizers of the referendum who contested any further privatization (Archontopoulos, pers. comm, 2018). Again, disappointment was the result, a situation that can be explained by the structuring conditions of capitalism; conditions that the new Syriza government were not able to evade.

The Thessaloniki water company EYATH, however, did put its ideas on social policy into practice. It introduced social tariffs that allowed poor people to receive 30 m^3 water free of charge for a 4-month period. This applied to low income households with total taxable income less than 8.000 EUR per year, increased by 3.000 EUR for each dependent child. For consumption of 31 to 80 m^3 of water per four-month period they were able to benefit from a 50 percent discount of their water bill.[13]

A year after the referendum on water privatization in Thessaloniki, the President of the Greek Parliament Zoi Konstantopoulou solemnly pledged her support for the implementation of the Human Right to Water as a just societal demand. She made the announcement at a meeting of the Thessaloniki City Council, explaining that she wanted Greece to become the first EU-country to recognize such a right. The President of the Parliament declared that she is open to the demands of social movements and supported the Right to Water movement.[14]

At the European level Right2Water achieved the first ever successful ECI. However, the European Commission did not propose new legislation (see Van den Berge et al., 2018). And in Greece the referendum did not lead to the expected new legislation to prevent privatization of the water companies. On a more positive note, the movements considered the increased awareness around water among citizens as perhaps the best outcome. In 2015, over 50 citizen groups – made up of thousands of people – therefore supported the struggle to make water a public good (Steinfort, 2014).

[13] http://www.eyath.gr/swift.jsp?CMCCode=060202&extLang=LG
[14] http://rights4water.net/en/articles/38-international-conference-on-water-privatization

In 2015, for the first time in modern Greek history the two traditional parties that had ruled the country since the end of the military dictatorship were cast out of government. This outcome did not bring the political change that people – especially the poor, lower class workers and the EYATH water workers – had hoped for. Instead, they paid the price of the crisis and remained losers in the fight against austerity claiming a success in preventing the sale of the most essential public service providers. The European Commission, as part of the Troika, above all lost credibility. Insisting that it had not forced privatization upon Greece, the evidence was however clear. In a letter to Food and Water Europe (which is part of the Right2Water movement), the Commission admitted its support for privatization.[15] While temporarily losing in its push for full privatization of Greek state assets, the EC was successful in ensuring the Greek government's acquiescence towards the Troika in its demands for a third bailout.

Forces of capital continue to push back against the gains made by social movements. The third bailout agreement between Greece and the Troika in July 2015 included provisions for further privatization of the Thessaloniki and Athens water companies (EUobserver, 2015; Pempetzoglou and Patergiannaki, 2017). The bailout agreement therefore outlined the need to establish *"a new independent fund (the 'Super Fund'), which will have 'in its possession valuable Greek assets'"* (European Commission, 2015, 28). The two biggest water companies in Greece were included in this new fund. In the visit of President Macron to Greece, a delegation from the French multinational Suez took part and expressed their continuing interest in EYATH. While the Super Fund was supposed to raise the Greek income in 2018, the Greek water movements were preparing for a new campaign against privatization and a continuing struggle. In this campaign, some activists found themselves pitted against some of their previous supporters who, after the referendum, had joined Syriza. K136 is no longer a member of the new campaign. Instead, they stuck to their ideal of a cooperative and to the principle of self-management, something that does not match with the ideal of a public and state-owned company. The movements are now divided along different ideological lines between 'cooperativists' and 'public ownership activists'.

[15] http://www.foodandwatereurope.org/pressreleases/eu-commission-forces-crisis-hit-countries-to-privatise-water/

3.5 Discussion and Conclusions

The ECI, based on a broad alliance of trade unions, social movements and NGOs, was successful at a time, when austerity policies were enforced across the EU member states, including pressures towards further privatization especially on the countries in the EU's periphery such as Greece. Although the Greek people were facing many difficulties in their daily lives (huge and increasing unemployment, closure of banks, non-payment of salaries, etc.), they supported the Right2Water from the moment that they saw the link between EU policy and (national) privatization plans.

The simultaneous development of the ECI Right2Water and the imposition of austerity measure by the Troika pushed social movements at various levels into each other's arms. The European campaigners found support for their cause at local levels in Greece and Greek activists realized that their protest should not only be directed to their national government, but also needed to resonate in the European capital. A situation of mutual alignment of forces and arguments emerged with Greek popular support for the Right2Water in exchange for European popular support to SOSteToNero. Working on the same campaign simultaneously enabled links to be established across borders, and in turn facilitated international support for local campaigns. The anger over severe austerity, as well as the conviction that 'water is life', made people stand up against the privatization of water. The confidence that SOSteToNero had gained over the previous years was paid back in huge support. After a large turn-out and significant rejection of privatizing the Thessaloniki water company in this 'unofficial' referendum, with 98 per cent voting 'NO', the pressure on the Greek government not to privatize mounted. In a parallel but entwined process, a sufficient number of signatories in Greece was achieved for the ECI, despite the high bureaucratic barriers to achieving a quorum.

Similarly, SOSteToNero and the other organizers of the referendum on water in Thessaloniki politicized mobilized citizens against the privatization of water service provision, showing that a different form of managing a water utility is possible. Both movements achieved and sustained their success by keeping a diverse range of people acting for the same purpose. The social movements managed to unite these diverse interests for a common goal (van den Berge et al., 2018), however, success is fragile if victory is called too early and a movement can fall apart when individuals seek their own gain. Water appeared a powerful agency in the struggle for social justice and in unifying different social groups. At the same time, it is no more than a component in the struggle, having its limitations for achieving wider change in capitalist society. Nevertheless, neither Right2Water, nor SOSteToNero, K136 and other Greek movements had the intention of fighting the political order. They opposed privatization of water and in this fight, they succeeded.

After the success of the referendum and Syriza winning the elections, the disappointment regarding Syriza's lack of commitment to preventing privatization of the water companies made social movements and activists turn their back on the 'old' political fractions and caused the falling apart of water activists into historical-political divisions. For the new movement it should be a lesson that unity among the diverse is a condition for success in social struggles.

Nevertheless, importantly, both the ECI as well as the referendum have led to a greater awareness and consciousness about the importance of water services in the daily life of Greece, and consequently the growing willingness to resist privatization. Recent developments in Greece show that this struggle against privatization must continue.

4. Social movements in defense of public water services – the case of Spain[16]

Figure 4.1 The Red Agua Publica forms a "blue tide" ("marea azul") to protest against privatization of water and rivers in Zaragoza (photos La Vanguardia, 23 March 2013).

[16] This chapter is a revised version of the article published as: Van den Berge, J., Scheunpflug, L., Vos, J., & Boelens, R. (2023). Social movements in defense of public water services: the case of Spain. *Frontiers in Water*, *5*, 1200440. https://doi.org/10.3389/frwa.2023.1200440

4.1 Introduction

In the past decade the struggle for water and sanitation justice has been linked with alliances deploying informal strategies and campaigns for formal recognition of the human right to water and sanitation (see, e.g., Bakker, 2007; Sultana and Loftus, 2011, 2019; Clark, 2019; Bieler, 2021). The focus of this chapter is on the struggle, discourses and politics in Spain, departing from the European Citizens' Initiative "Right2Water" and examining links and similarities between the European Right2Water movement and Spanish water movement(s).

The European Citizens' Initiative (ECI) "Right2Water" ran and collected 1.9 million signatures across Europe in 2012-2013, uniting cities, villages and civil society organisations against water privatization (Moore, 2018; Van den Berge et al., 2018, 2021; Bieler, 2021). With that result it became the first successful ECI, simultaneously building a Europe-wide movement and putting the water issue high on the European political agenda. "Right2Water" proposed to implement the human right to water and sanitation in European legislation, as a strategic-political tool to fight privatization of public water utilities (Fattori, 2013; van den Berge et al., 2020; Bieler, 2021).

Implementing such water justice notion is part of an ongoing socio-political struggle. This struggle had been going on in Spain before the start of the ECI and it has continued afterwards. Deploying a political ecology lens, this chapter examines how "Right2Water" influenced and impacted ongoing struggles for access to and control over water in Spain; how it fuelled the debate on (de-)privatization of water services and what heritage it has left in Spain. Moreover, it looks at how social movements developed, reinforced or complemented each other in their struggles for social justice and against austerity measures that have marked the second decade of this century. Rise of the *"Indignados"* (Occupy) movement coincided with the rise of a water movement like the Red Agua Publica (e.g., Hughes, 2011; Babiano, 2015; Hernández-Mora et al., 2015; Castro, 2018). In the past decade a growing number of cities and regions have decided to re-municipalize water supply. The human right to water and sanitation framework was instrumental in this process, as we will show in a few cases. The Right2Water movement changed water policy discourse in Europe (van den Berge et al., 2020) and proved to be a support to the Spanish water movement, that continues to fight for a more participatory and democratic water governance and policy. In Section two we describe our research framework and methodology. In Section three we will look at the history of water policy and privatization in Spain. In Section four we will look at the rise of social movements and in Section five we will highlight a few cases of water struggles in Spain. In Section six we examine the stakes and stakeholders that, for the time being, have won and lost in these struggles, and the overall outcomes of the water policy and politics battles over the past decade. We draw our conclusions in Section seven.

4.2 Conceptual framework and research methodology

The conceptual base of this research is **political ecology**, which is a political approach towards the study of natural resources management. Ecological problems are seen as deeply interwoven with and produced by the socio-political and economic context (Bakker, 2003; Robbins, 2004). This chapter analyzes historical and political processes of water management in Spain, looking for underlying power relations (Forsyth, 2003; Perreault et al., 2015). Directly connected to this, the notions of **environmental justice** and contestations/non-contestations are central. In academic and activist debates, environmental (and water) justice is defined in multiple ways – for instance, by integrating and balancing or contrasting the arenas of distributive justice, cultural justice, representational justice and socio-ecological justice, for human and nonhuman communities and agents (for an overview, see e.g. Schlosberg, 2013; Zwarteveen and Boelens, 2014; Boelens et al., 2018, 2023; Coolsaet, 2020). In this research, we concentrate on three of its conceptual dimensions: recognition, redistribution and representation (Fraser, 2000; Fraser et al.,2004; Schlosberg, 2004). We focus therefore not just on the distribution of access to water, but also about who participates in political decision-making processes and whose values and interests are recognized by, for example, social norms, languages and institutions (Fraser, 2000). With regards to public water services this means that citizens must be recognized as political actors and therefore co-decide and co-govern in water services management. All dimensions are distinct but interlinked and overlapping (Schlosberg, 2004).

Hydro-technological modernization processes and legal-institutional policy reforms coalescing in diverse forms of neoliberal water governance provide the background to these last decades' powerful trends towards Europe's water governance model (e.g. Swyngedouw, 2005; Bakker, 2010; Vos and Boelens, 2018). Understanding **neoliberal water governance** conceptualization is key. In brief, neoliberal thinkers and policy-makers advocate treating water as an economic good. Water resources' service and/or property, therefore, need to be private, transferable, priced - commodified. According to neoliberal logic, policy measures such as privatizing water service provision, granting concessions to operate distribution networks, and implementing full-cost recovery in water service pricing would lead to improved water service, and more efficient operation and maintenance. In water governance, the assumption is that such neoliberal incentives lead to efficient water use (Swyngedouw, 2005; Bakker, 2013; Boelens et al., 2018). In practice, however, many studies have shown that privatizing public utilities has often failed to benefit water users. Rather, tariffs hiked, investments in infrastructure lagged behind, quality of service provision did not improve, and the environment was jeopardized (Bakker, 2010; Lobina, 2014; Ioris, 2016; McDonald, 2018; van den Berge et al., 2018). In recent years, protests have been organized in various parts of Europe by citizens and civil society organisations to stop privatization of drinking water utilities or demand cancelation of these contracts, challenging the neoliberal governance structure and calling for a vision on water as a common (Ostrom, 1990; Bakker, 2007).

Finally, **water justice movements** address injustices both at the individual, community and supralocal levels (see e.g. Schlosberg, 2013; Boelens et al., 2018, 2023; Shah et al., 2019;

Dupuits et al. 2020). This is the case for Right2Water as well. Water (in)justices involve both quantities and qualities of water, as well as access to and distribution of water privileges and forms of control over water (e.g. Sultana and Loftus, 2011, Dupuits, 2019). This entails also that water conflicts include questions about decision making, authority and legitimacy. These are intimately linked to the struggle over discourses, favoring particular water governance notions and policies while obliterating others – in terms of thinking about and acting upon 'water' (cf. Forsyth, 2003; Zwarteveen and Boelens, 2014). As discourses sprout from, substantiate, and actively constitute policy arenas, they become a necessary part of the struggle of social movements: discourse change is not only a trigger for social mobilization and protest but also a precondition for policy change (Feindt and Oels, 2005). Media attention, which is one of this chapter's fields of scrutiny, is an indicator for the domination of particular discourses in a specific period of time, and it also reflects how governance processes and social movements are framed, while it indicates resonance or influence in society (Benford and Snow, 2000).

The main research question that we seek to answer is how the European Right2Water movement has related to the Spanish water movement and how the human right to water and sanitation (HRWS) has been instrumental in their struggles against privatization of water services. Literature and archival research and activist debates in the Spanish institutional and movements' landscape, have been the main sources of information on human rights to water, privatization and re-municipalization of water services in Spain, and how social movements have campaigned for public water provision. Five cases are analyzed as examples of local struggles with diverse settings and histories of privatization and movements. The cases show different types of water governance and ways of activism and provide lessons for future debates over water services provision, governance and remunicipalization. Besides the cases, data collection was done for this study on drinking water service privatization, re-municipalization of water services in Spain and on debates around these issues and the human right to water in Spanish newspapers. We explored these issues and social movements more in depth by applying bibliometric methods and data mining. With text mining software (Lexis Uni® for newspapers) we searched and analyzed the number of times that these issues and movements were mentioned in Spanish national newspapers and how this developed during the past decade between 2010 and 2022. We searched for unique articles on key words "human right to water" ("Derecho Humano al Agua, DHA"), "15-M", "ECI Right2Water" and "Marea Azul" in combination with "water services". Besides this we searched for "new water culture", "privatization" and "remunicipalization" also in combination with "water services". Thirdly we checked mentions of two social organisations that played an important role in water debates: "AEOPAS" and "FNCA" also in combination with water services provision. We visualized trends in media attention in two graphs. Given that we consider newspapers as relevant media that reflect public debates and public issues of interests in Spain, we looked at the number of unique articles that dealt with these issues. With this media analysis we expected to show if, and how, social movements have gained influence and attained to change discourse in the Spanish newspapers with regards to water services management.

4.3 History of water services provision in Spain

4.3.1 Water policies, privatization and rise of the New Water Culture

Water management in the 20th century in Spain was characterized by a hydraulic paradigm stemming from the Franco regime that aimed to "develop" Spain through water infrastructure imposed upon the population and based on use of water resources to maximize State economic benefit (Camprubí, 2013). In 2001 the Spanish government introduced the National Hydrologic Plan (NHP) and proposed construction of over 100 dams with a similar view on water as an economic good (Lopez-Gunn, 2009). The NHP puts emphasis on technology to regulate rivers (nature) and use of water where it is the most profitable, fitting tightly to the ideology of Franco's regime (Hernández-Mora et al., 2015; Swyngedouw, 2015; Swyngedouw and Boelens, 2018). The plan was adopted after massive protests throughout Spain, and modification by the Spanish parliament in 2005 as Act 10/2001 on the National Hydrological Plan (Miteco, 2001 and 2005). Since the 1990s, there has been a trend in Spanish municipalities to privatize water services, mainly through public-private partnerships (PPPs) (Ruiz-Villaverde et al., 2015; García-Mollá et al., 2020). This term is frequently used by multinational corporations to disguise a privatization through contractual arrangement, often a long-term concession. The Spanish privatization model of (mostly urban but also rural small-village) water services over the last three decades is often described as "*mercantilización*" (Bakker, 2010; Hernández-Mora and Del Moral, 2015). While being a natural monopoly, this marketization of water services tends to favor the interests of powerful groups (corporations) at the expense of the public interest and the commons, as it is characterised by the absence of competition (Gonzalez-Gomez et al., 2014; Heller, 2020).

In the last decade of the 20th century and beginning of the 21st century the EU saw a wave of utility privatization (Hall and Lobina, 2005; Hall et al., 2011). Spain was no exception to this phenomenon. Private companies in the water industry increased their share in provision of water services to the population from 37% in 1996 to 48% in 2006 to 55% in 2015 (Babiano, 2015) by focusing on water supply in urban areas because that can generate most profits in a "market" with many "customers" in a small area. Local governments often saw privatization as an easy way to increase their income at short term because of the concession bonus and by keeping water supply off their balance sheets (Ruiz-Villaverde, 2015; Bel, 2020). This gave rise to an intense debate about the desirability of this privatization of urban water services with a clear oligopolistic dominant position for multinational companies (Gonzalez-Gomez et al., 2014; McDonald and Swyngedouw, 2019). Political decisions were substituted by market instruments that favored corporations because of the structural imbalance between these (powerful) players and (powerless) municipalities (Hernández-Mora and Del Moral, 2015; Heller, 2020).

Simultaneously, since the 1990s, a coalition of academics, social activists and water managers in Spain and Portugal has been promoting a shift from the hydraulic paradigm and seeing water as an economic good (Martinez-Fernandez et al., 2020). This New Water Culture placed the emphasis on ecosystem protection and ecological health as a means to guarantee the availability of sufficient good-quality water to sustainably meet needs. In 2000 the Water Framework Directive (WFD) came into force in the EU (European Commission, 2000). This European law needed to be transposed into Spanish law and water activists saw this as an

opportunity to shift the priorities of the traditional economic-minded water management system to a more holistic approach that recognizes ethical, socio-political and environmental concerns (Castela-Lopes, 2021). The New Water Culture movement was founded in opposition to dam building and the inter-basin transfer of water from the Ebro River. It emphasised participatory and transparent decision-making in water management and provided an alternative policy framework as it positioned water as a common and a human right. The movement coalesced in the New Water Culture Foundation (*Fundación Nueva Cultura del Agua)* or FNCA (Martinez-Fernandez et al., 2020). One of the founders was Pedro Arrojo, former professor at Zaragoza University and now the UN special rapporteur on the human right to water and sanitation, who explained it as follows: *"Water services as services of general interest of society go beyond the logic of the market" (…). "For this reason, faced with the privatizing policies of neoliberalism that transform these public services into simple businesses, we must face the challenge of building new models of public and participatory management, based on principles of sustainability, justice, transparency and citizen participation."* (Arrojo, 2017a, 47).

The economic crisis of 2008 generated an increase in situations of social vulnerability and problems related with affordability and accessibility to water in urban contexts (Lara and Del Moral, 2020). Privatization processes of water services coincided with austerity measures that European institutions promoted in the countries most affected by the economic crisis (Zacune, 2013; Bieler and Jordan, 2018). European austerity policies aimed to reduce government budget deficits through cuts in public services, which usually include water services, and decrease government spending. These savings on government costs came at the expense of providing vital services to citizens (Castela-Lopes, 2021). The European Commission imposed privatization of water services as one of the conditions of bailouts to crisis-hit countries Greece and Portugal (CEO, 2012; Zacune, 2013; Kishimoto and Hoedeman, 2015; Bieler and Jordan, 2018) and also in Spain the pressure of European austerity measures was high (CESR, 2012). In 2011 the European Commission made a new attempt to further liberalize the services sectors in Europe by means of a proposal for a 'Concession Directive'. This directive aimed to align concessions contracts with economic water operators and single market rules (European Commission, 2011a, Tosun and Triebskorn, 2020). The directive promoted to open municipal water services for EU-wide bidding and aimed to create a European water services market which would open the door to privatization (van den Berge et al., 2020). This was conceived by water activists as a 'privatization through the back door' (CEO, 2013) and in Spain the directive was therefore called the 'Privatization Directive' (Limon, 2013a). The Right2Water movements discontent with Europe's water policy and governance was exactly with this proposed directive and earlier attempts to apply internal market rules to water supply and the management of water resources, because it would mean the commodification of water (Castela-Lopes, 2021; van den Berge et al., 2022).

4.3.2 Privatization of water services in Spain

In Spain, the process of privatization was instigated by the search for funding by municipalities in crisis. It happened mostly through concessioning as the perverse mechanism of the 'concession fee' allowed for a rapid injection of money into the municipal treasury, but the backside of this coin was a decades-long privatization and loss of control over the service (Ruiz-Villaverde et al, 2015; Lara and Del Moral, 2020). This process was supported by

European Commission liberalization policies. Transformation of a public-service ethos to a profit-serving ethos, combined with technocratic and "neutral" solutions to complex societal and political problems and commodification of natural resources (to the extent that everything has a tradeable price), are part of the neoliberal project of completion of the European Single Market (Moore, 2018).

Privatization occurred by two major corporations: *Aguas de Barcelona (Agbar,* subsidiary of *Suez Environment)* and *Aqualia (*part of the FCC: *Fomento de Construcciones y Contratas* group), both multinational enterprises (Ruiz-Villaverde et al., 2015). These two companies account for almost 90% of the total private water supply (Babiano, 2015). This privatization and the oligopolistic character led to an over emphasis on profit margins and resulted in environmental degradation by failing to comply with the environmental terms and conditions in contracts (Kishimoto et al., 2014) as market logics do not value or protect human rights, nor sustainability of ecosystems (Arrojo, 2017a; Heller, 2020).

The natural monopoly that is inherent to water supply; the power imbalance between municipalities and multinational private providers and the drive for profit maximization form a hazard to the fulfilment of the human right to water and sanitation in case of privatization (UN-OHCHR, 2021). In the Spanish model of privatizing urban water management all these risks became visible and reality. Costs were born by the citizen while private companies took benefit from water resource exploitation by setting, on average, higher prices than public companies. The privatization process in Spain was often accompanied by increasing rates, sometimes up to over 60% (Garcia-Rubio et al., 2019). Local authorities lost control over the service and access to water provision was jeopardized for vulnerable people by greater pressure on users with payment problems and 300.000 shut-offs in 2013 (Babiano, 2015).

The relations between the causes and consequences of the crisis and privatization, as well as the emergence of situations of water poverty (meaning that the costs of water supply exceed 3% of the household budget), have led to the rise of a social movement committed to defend the human right to water as well as the model of public and democratic management (Lara and Del Moral, 2020).

4.4. Social movements for public water in Spain

4.4.1 A movement for public water

A number of Citizen Water Networks (coalitions of environmental groups, citizen organisations, activists, scholars and other actors) have emerged from the New Water Culture movement with an aim to defend the social and ecosystematical values of water (Hernández-Mora et al., 2015) The FNCA is seen as one of the most influential movements in water policy in Spain (Castela-Lopes, 2021). In the beginning of this century these citizen networks were mostly active in opposition to dam construction and river management but also raised a voice for, in their view, marginalised groups in water policies. They demanded influence in decision-making, that was dominated by economic interests of the state and powerful groups (Hernández-Mora et.al, 2015). The citizen networks created large-scale awareness raising campaigns that incorporated many different types of calls to action, but also local social mobilizations against dam projects (Font and Subirats, 2010). One of these networks was the

'Red Agua Publica' (RAP) formed in 2012 which focused exclusively on urban water privatization, building on the 'Plataforma Contra la Privatización del Canal Isabel II (PCPCYII) that saw light in 2010 in Madrid (figure 4.2). This case will be discussed in the next section.

Figure 4.2 Protest against the privatization of the water company "Canal Isabel II" in Madrid (photo EPSU).

The RAP rose from a local opposition to privatization of the water company in Madrid to an extensive network of organisations in Spain. Until today it promotes a vision of water as a common and a public service with (among others) the following objectives: defending the integral water cycle as a public good; supporting struggles against privatization of water services and for remunicipalization of already privatized services; transparent public water management with citizen participation and effective achievement of the human right to water.[17] These objectives were completely in line with the objectives of the European Right2Water movement that emerged in the same year.

The recognition of the human right to water with resolution A/65/254 by the United Nations General Assembly (UNGA) in 2010 was a victory for global water activists as well as an inspiration for local activists (Barlow, 2015; van den Berge et al., 2018). The Italian Water Movement and the referendum they organised, inspired the European Public Services Unions (EPSU) to organise a European Citizens' Initiative on water framing it as a struggle for water as a human right and as a public good. By asking civil society organisations and local water and social movements for support to this EU-wide campaign the Right2Water movement was

[17] https://redaguapublica.wordpress.com/about/

born. It reciprocally gave support and inspiration to other networks calling for citizen participation in water management and fighting privatization of water supply (Ruiz-Villaverde et al., 2015; van den Berge et al., 2018). From 2012 onwards, the European Citizens' Initiative (ECI) 'Right2Water' united people and social organizations against water privatization and liberalization policies across Europe (van den Berge et al., 2018; Bieler, 2021). The Italian Water movement and their successful referendum against water privatization also motivated Spanish activists as they maintained a distance from traditional political parties and called for water to be considered a common (Muehlebach, 2018). Spanish water movements also used the phrasing "Write water, read democracy", introduced by the Italian Water Movement to emphasize this link (Carrozza and Fantini, 2016; Arrojo, 2017a).

Widespread disappointment with the service that was provided by private companies (Bakker, 2010; Pigeon et al., 2012; Beveridge et al., 2014; Heilmann, 2018; McDonald, 2018) resulted in reversals of the decisions to privatize water services. Such a reversion has happened in municipalities in developed countries (such as Paris, Berlin and Budapest), as well as in developing countries (Jakarta and Cochabamba), The remunicipalization of water services in Paris in 2010 was an example for other cities and water activists (Kishimoto et al., 2014; Arrojo, 2017b). Municipalities wanted to take back control over their resources so they could better provide for the needs of their citizens and remunicipalization turned to a global trend in the second decade of this century (Kishimoto et al., 2014; Arrojo, 2017b; Moore, 2018). Whereas Spain counted only one case of 'remunicipalization' in 2006, the number of re-municipalizations of water services had risen to 14 in 2014, and 40 in 2022 (Transnational Institute, 2022). Compared to the total number of 135 cases of water remunicipalization worldwide it shows that the Spanish water movement has taken a leading global role in water remunicipalization (Kishimoto et al., 2020; Garcia-Arias et al., 2022; Transnational Institute, 2022).

The main reason for remunicipalization in Spain was the same in all cases: need for investments, guaranteeing universal provision, improving quality of services and taking back control over the service (Pigeon et al., 2012; Kishimoto et al., 2014, 2015; Ruiz-Villaverde et al., 2015; Heilmann, 2018). Moreover, water prices in Spain are on average lower when services are managed by governments (Garcia-Rubio et al., 2015; Lopez-Ruiz et al., 2020) and tend to be higher under private management (Bel, 2020). Average tariff in Spain was about 0,89 €/m^3 in 2012, but the highest tariff at that time was in Murcia (1,51 €/m^3), followed by Barcelona (1,38 €/m^3) and Alicante (1,22 €/m^3). In all three places water was provided by subsidiaries of Suez (Garcia-Rubio et al., 2015). Another reason for re-municipalization was the demand for more transparency and democratic control in order to fight corruption (Bel, 2020; Planas, 2017), which was seen as a democratic revolution at the local level, that went beyond water and sanitation management (Arrojo, 2017a).

4.4.2 Confluence of austerity protests and water protests

Protests against the austerity agenda spread, adopting an innovative format in the so-called *"indignados"* and Occupy movements that occupied public spaces throughout member states of the EU (Parks, 2014). In Spain austerity related policies triggered many protests early 2011 where *"Democracia Real Ya"* (DRY) developed and grew within three months into a protest platform with over 200 organisations affiliated to it (Hughes, 2011). DRY called for

demonstrations to take place in cities across Spain a week before the country's regional and municipal elections of May 2011, demanding radical changes in Spanish politics and an end to austerity policies. Mass demonstrations were held across the country on 15 May 2011. The largest of these protests was held in Madrid where demonstrators chanted *"we're not merchandise in the hands of politicians and bankers"* (Bolger, 2016, 26). After attempts by the police to remove the protestors, thousands of supporters occupied squares across Spain to express support for the activists in Madrid. From these solidarity camps, the 15-M movement was born. The activists demanded a reform of the political system and an end to corruption (Bolger, 2016). The involvement of many different actors in the 15-M movement made democratic participatory processes critical to maintain engagement. Since actors can have different backgrounds and motives for joining a movement it is essential to check and debate whether all participants are in the struggle together and to move forward (Moore, 2018).

Protests continued over 2012 and a confluence of tides occurred after the 15-M movement opened up to a new social ecology of critical spaces to protect vulnerable groups (Weiner and Lopez, 2019). Different social movements saw their interest threatened by the same neoliberal ideology that increased pressure on workers and citizens, hitting hardest to the poor and caused a wide spread sentiment of people losing control over their lives (Zacune, 2013; Moore, 2018). Trade unions in Spain joined their forces with 15-M social activists, ecological and water activists. Protests against austerity confluenced with the *"marea azul"* ("blue tide") protests against privatization of water and in defense of water as a common good (Babiano, 2015). In 2013 the RAP called on all European public water operators to leave "EurEau" (the European federation of national associations of water services) after it had denied the success of the ECI Right2Water, showing its concern of the interests of private operators over the public operators. An impressive list of around 100 groups and organisations from Spain signed the appeal (RAP, 2014).

The Right2Water European Citizens' Initiative (ECI) was transferred to Spain by the trade unions affiliated to EPSU – FSC.CC.OO and UGT.SP – and the New Water Culture Foundation. Pedro Arrojo was member of the 'citizens committee' of the ECI with an extensive network in Spain. According to him *"the ECI was at that time the motor of the struggle for the human right to water in Europe"* (personal communication, 27 January 2023). At first the campaign did not strike a chord but that changed when the unions and the water movement bonded with the anti-austerity 15-M movement and then reached a successful number of supporting signatures. The cooperation between the movements was complicated as both the austerity measures as well as the ECI were seen as European Union policy. How to combine action against EU policy and at the same time in favor of another EU policy? This psychological barrier had to be overcome. In the end over 65.000 people signed the Initiative, whereas 40.000 were necessary to surpass the quorum, despite of practical barriers (people had to provide passport or fiscal number to give a valid signature). The encouragement of the Association of Public Water Supply and Sanitation Operators (*Asociación Española de Operadores Públicos de Abastecimiento y Saneamiento Agua*, AEOPAS), the state-wide Public Water Network (Red Agua Pública, RAP), Ecologists in Action, the Federation of Neighbourhood Associations and the Platform against the Privatization of Canal Isabel II (PCPCYII) played a role in the success for Right2Water. The Spanish case is a national example of a political achievement reached by uniting diversity as the Right2Water movement did in Europe (van den Berge et al., 2018). The collaboration of trade unions with social movements

was very important. This had not occurred before. Also, the combination of social and ecological values and objectives showed to be fundamental for a broad support for implementing the human right to water beyond anthropocentrism (Lara and Del Moral, 2020). Spanish water movements have been effective in linking the issue of water with other campaigns e.g. around housing or democratic platforms (Moore, 2018; Castela-Lopes, 2021).

These organisations continued their collaboration in *"#Initiativa2015"* by which they campaigned to implement the human right to water and achieve a "100% public" service provision in Spain. This initiative tried to prohibit supply cuts; to ensure a minimum of between 60 and 100 liters per person per day in case of justified non-payment, and to eliminate the participation of private companies in water services. It was about developing a new model of public, democratic, and participatory management (Babiano, 2015). This initiative was materialized a year later in the Social Pact for Public Water *("Pacto Social por el Agua Pública*", PSAP) signed by 75 organisations at the start (Limon, 2014; Lopez-Ruiz et al., 2020; Lara-Garcia and Del Moral, 2020). It led in several municipalities to measures to guarantee a vital minimum of water and prohibition of supply cuts (RAP, 2016). The Pact addressed water justice issues and demands that went beyond the topics included in the human right to water and sanitation (HRWS) and provided a level of specification for its effective implementation (Flores Baquero et al., 2018). Several propositions to implement the HRWS in legislation had been made but these efforts did not result in its implementation. It shows that the process of incorporating the HRWS into the national water law, is complex and troubled. Until 2020 and despite the strong social movement and sometimes formal political support, this incorporation has not occurred (Lara and Del Moral, 2020). Until today no mention is made of the human right to water in Spanish water law, but the PSAP forms a basis for water policy in municipalities and public utilities as shown e.g. in the Cadiz Declaration in which several majors, water utilities and social organizations in Andalucía state their commitment to implement the human right to water and to ensure that water services remain in public hands (Declaración de Cádiz, 2017). The PSAP is also at the basis of the declaration for public water services management by majors from ten Spanish cities at the meeting for public water in Madrid on 3-4 November 2016 (RAP, 2016).

4.4.3 Media attention

Attention in the media shows how social movements have been able to take the stage in water services debates widely (figure 4.3). The human right to water as recognized by the United Nations General Assembly (UNGA, 2010) was mentioned in the media since 2010 but in 2011 attention to water services provision expanded thanks to the 15-M movement. More attention for the human right to water followed in the wake of the European Right2Water citizens' initiative and the "marea azul" manifestations. The Spanish water movement managed to maintain an important voice in water services debates but media attention decreased.

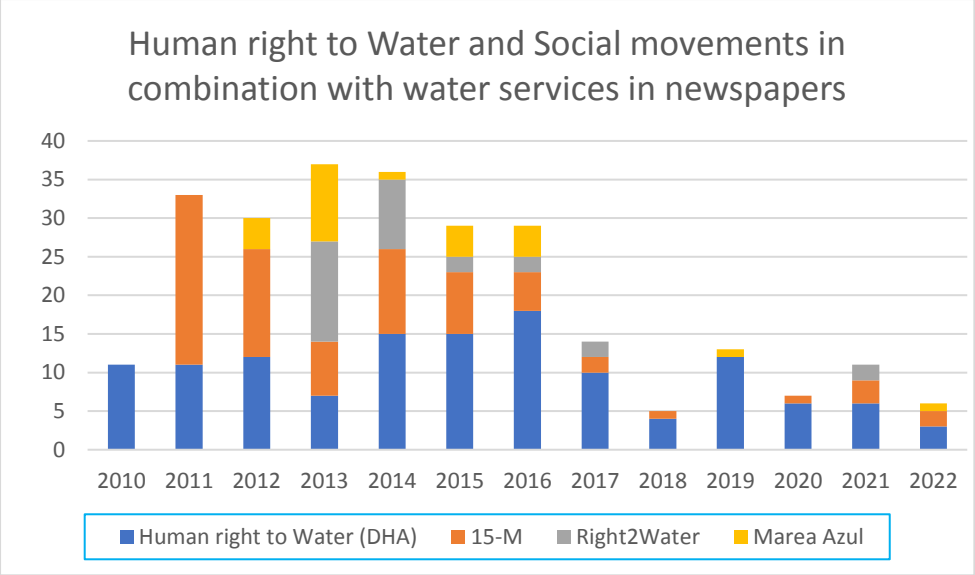

Figure 4.3: Number of times that the Human Right to Water and social movements (15-M, Right2Water and Marea Azul) were mentioned in a newspaper article in combination with 'water services' in Spain. Source: own research.

4.5 Examples of local water struggles in Spain

When the Right2Water campaign was launched in Spain, it could build on an already present network of social movements (van den Berge et al., 2018; Moore, 2018; Bieler, 2021). These networks appeared indispensable to get people to join the European campaign. This was not easy as anti-European sentiments were also strong because of austerity measures imposed upon Spain by the European Commission that led to increasing unemployment and worsened the economic crisis situation (CESR, 2012; Rossi and Gimenez, 2012). Only when European policies were connected to local struggles, the Right2Water campaign started to gain support. In several cities and regions in Spain this local struggle was present in 2012. In this section we explore five cases in which a local social movement was already struggling against privatization or for a more democratic public water supply. Four cases are about cities (Madrid, Valladolid, Terrassa and Barcelona) and one case is about a region (Andalusia). Madrid shows a fight against privatization; the other three cities show successful cases of remunicipalization (Valladolid and Terrassa) and a failed struggle for remunicipalization (Barcelona). The case of Andalusia highlights how a social movement for public water was built and changed discourse and policy on water management.

4.5.1 The case of Madrid

The Platform against the privatization of the local water company 'Canal de Isabel II' (PCPCYII) was set up in 2010 to oppose the planned privatization of the company in Madrid. It was an urban movement in which social organizations, unions, environmental groups, political parties and citizens belonging to 15-M participated. The incorporation of the 15-M to the PCPCYII made it possible for the water movement to bond with other social groups —the

platforms for the defense of public health and education— that also defended “a right to the city”, imagining the city as a place to live, contrary to, for example, real estate agencies and banks that see the city as a place to exploit (Babiano, 2015). It succeeded in 2012 to organise a popular consultation in which 165.000 people, an overwhelming majority, in Madrid voted against the privatization of the water company and in favor of a 100% public water supply (PCPCYII, 2012; Ruiz-Villaverde et al., 2015)). This was the first time that a blue wave *“Marea Azul”* had gone over the city (Pérez, 2012). These blue waves came back in manifestations in 2012 and 2013 for the recognition of the HRWS in EU law, when the Spanish movements joined the European Right2Water movement (figure 4.1 (p.65)). As the struggle unfolded, the movement switched from the earlier emphasis on opposition towards a more prepositive stance, seeking not just to stop privatization but also to make the public utility “100 percent public”, with participatory management involving citizens, making its goals more consistent with the principles of the human right to water. Although formally the government froze the privatization plans in June 2015, because of the heavy defeat experienced in the municipal elections in May that year, the Platform argues that the mechanisms that would allow the privatization to go forward are still in place (Castro, 2018). From the PCPCYII the Red Agua Publica grew that made the Right2Water campaign collaborate with the creation of the Spanish #Iniciativa2015 and the Social Pact for Public Water (PSAP), in close cooperation with AEOPAS and the trade unions.

4.5.2 The case of Valladolid

In 2015, municipal elections brought in a new government and the opportunity to terminate the private water management contract with Agbar in Valladolid. An important incentive was the lack of investment in the water network under private ownership, although the company had consistently reaped high profits. Another motive was the relative price increase for citizens that had been 78 percent over 18 years under private concession, whereas the city council foresaw that for the next 15 years a relative increase of 18 percent would be sufficient to cover all costs of supply if the company would be brought back under public management (Martinez-Fernandez and Redondo-Arranz, 2018). The proposal to re-municipalize the water company was ahead of the elections made by the RAP and strongly supported by AEOPAS and FNCA that had organized local mobilization ahead of the election and made the remunicipalization of water management an important electoral issue (Planas, 2017; Turri, 2022). The new city council organised three rounds of public consultations to ensure participation of citizens, recalling the Right2Water initiative, that in turn increased citizens’ support for remunicipalization (Martinez-Fernandez and Redondo-Arranz, 2018). An absolute majority in the City Council approved the remunicipalization of water services in December 2016. This was a milestone in remunicipalizations as it was the first big city in Spain (over 300,000 inhabitants) that brought water service back in public hands. According to the Valladolid City Council direct management would provide the highest profitability with the lowest tariff increase and include all necessary investments (Garcia-Arias et al., 2022). After two years in operation, AquaVall, the new public water company had already saved €13.3 million, equivalent to 4 percent of the city’s total budget in 2018 (€337.2 million). So far, the new public company has had a total turnover of €26.4 million. Much of the profits are now

used to maintain and improve the city's sanitation and distribution networks (Transnational Institute, 2022). Tariffs have decreased to become among the ten lowest in Spain (Garcia-Arias, 2022). In a period of five years the public company invested 46 million euros in improving its services, against a 20 million euros investment in the 20 years before by the private company (Aquavall, 2022). The company has taken a place in society by putting emphasis on promoting responsible water use, promoting healthy habits, a commitment to respecting the environment and cooperation with cultural and sporting events and various social causes. One of the success factors of the remunicipalization of water services in Valladolid has been the public financing model. Water and sanitation services are entirely financed through tariffs and income remains earmarked for water services. This public financing model, that is comparable to the system in the Netherlands (Ministerie van Infrastructuur en Waterstaat, 2009), has made Aquavall independent from (private or public) banks and led to a sufficiently large cash flow to ensure economic, social and environmental sustainability (Garcia-Arias et al., 2022).

4.5.3 The case of Terrassa

In 2018 after years of debate and social struggle the municipality took back control over the water company when the concession contract with Agbar terminated. The water re-municipalization process has been the result of a long and intense process that has had citizens themselves as the main driving force. Laying a first stone with the signatories of the "Pact for the public management of water in Terrassa", with the complicity of 8,000 citizen signatures. Principles that must govern the management of the city's public service are new water policy and culture in the city, improvement of efficiency and the effectiveness of the service, the improvement of water quality, the fight against climate change and the forecasting of policies for adaptation and protection of aquatic ecosystems. *"We have to display everything that has to do with the Human Right to water and a fair price, in relation to access to water, thinking of a tariff system that integrates the concept of social justice and human rights"* (Aigua es vida, 2018)[18]

The campaign *"Aigua es vida"* ("water is life"), a coalition of community groups, trade unions, solidarity groups, and environmentalists in Catalonia has focused on spreading information, building links with ecological movements, and pushing public debate on the issue. They linked with diverse struggles, looking at the social pact for water, such as in connection with campaigns around housing, austerity or democracy. A Water Observatory was set up as means for citizen participation and to increase transparency and accountability of the new water company towards the inhabitants of Terrassa. The new democratic public model of water management, governed democratically and according to a public ethos, such as in Terrassa, is symbolic and may offer important lessons for other struggles (Moore, 2018).

[18] https://www.aiguaesvida.org/comunicado-el-futuro-del-agua-publica-en-terrassa-empieza-hoy-con-el-esfuerzo-y-participacion-de-todas/

4.5.4 The case of Barcelona

In Barcelona, Agbar established a powerful, historically-grown monopoly over the urban water service provision, extending beyond the city's borders by acquisitions of competitors and smaller concessions (Masjuan et al., 2008). In 2010, a local court questioned the regularity of the contract, forcing Agbar and the government body of the Barcelona Metropolitan Area (AMB) to form a PPP model and to establish the mixed-capital entity Aigües de Barcelona Empresa Metropolitana de Gestió del Cicle Integral de l'Aigua S.A (ABEM). As of 2012, ABEM consists of 85% private capital where a majority of 70% is held by Agbar, another 15% belongs to the holding group Criteria (part of the Catalan bank La Caixa) and 15% to the AMB. ABEM and its subsidiaries manage and control up to 93% of the urban water supply in 23 municipalities of the AMB and thus 9 out of 10 customers depend on the water supply by the company group (March et al., 2019). Activist groups declared this an abuse of power by the company in collusion with political actors to save the private management involvement and thus their profit revenues under the guise of more public control. In 2016 the Catalan high court declared that ABEM's concession acquisition without a public tender was illegal. This was a victory for the 'Aigua es Vida' platform, that argued that only remunicipalization of services into a public and democratic management model could assure necessary investments, measures to improve water quality, protection of water ecosystems and simultaneously create a just and transparent tariff system. Building on their experience in the Right2Water campaign (figure 4.4), they organized a public consultation about a referendum for remunicipalization in 2018 with the help of Barcelona en Comú (BeC). The latter is the progressive municipal platform forthcoming from 15-M and other social movements, that has been governing the city since 2015. Activists collected enough signatures, but the referendum was blocked by the opposition of other political parties (Popartan et al., 2020).

Figure 4.4 The Catalan version of the Right2Water logo.

Subsequently, the MAPiD (Moviment per l'Aigua Pública i Democràtica de Barcelona) was formed to further coordinate protests and alternatives to private management within the AMB. Private actors have often influenced policymaking and public debate about water

services through their economic and political power. Tough legal action against any remunicipalization effort also played an important role in Agbar's strategy, but the company had to comply with the Catalan law (Law 24/2015) against shut-off of water supply and accept tariff setting by the AMB.

Through their appeal, in 2019, the Spanish Supreme Court annulled the Catalan high court judgment of 2016. Given this setback for social movements, the only remaining opportunity to re-municipalize water services by legal means would be to dissolve the contract at a high cost through a bailout. Currently, there is no sufficient political will to enforce such procedures and the administrative structure as well as the heterogeneous political composition of the AMB further impede what would necessarily be a "remetropolitization". However, movements' claims in the context of energy poverty and service problems during the Covid-19 pandemic increased public awareness about water rights as well as about the structural problems caused by the private management model.

4.5.5 The 'Mesa Social del Agua Andaluz'

As a result of cooperation between the RAP-Andaluz, la Marea Azul del Sur and the Red Andaluz de Nueva Cultura del Agua (RANCA), the social organisations, trade unions, mayors and public water operators agreed upon the above mentioned 'Declaración de Cádiz' (2017). It has become a point of reference for the Spanish water justice movement (Del Moral, 2017). The social organizations, including also environmental organizations World Wildlife Foundation, SEO-Birdlife, Greenpeace, and the agricultural organizations UPA and COAG, have constituted the Andalusian Roundtable on Water *('Mesa Social del Agua de Andalucía':* MSAA), with a strong and active commitment to defend and promote the HRWS in Andalusia. In a ten-point-plan prepared by the MSAA, an Andalusian Social Pact for Water is proposed that promotes a model of active, fair and diverse citizen participation as the central axis of Integrated Water Cycle policies. It also puts the human right to water and a 100% public management of water services central to achieve socially, ecologically and economically sustainable water management to combat the impacts of the climate crisis and to face the challenges of an environmentally and socially just hydrological transition (Del Moral, 2017). With these proposals the Andalusian coalition goes a step further than implementing the human right to water as it addresses explicitly the needed changes in intensive agriculture and large-scale irrigation. In 2018 the Andalusian government was in a process of revision of the water supply regulation for which a group of social organisations (AEOPAS, FNCA, Ecologistas en Acción, Federación de Consumidores y Usuarios, Fundación Savia, CC.OO and UGT) proposed the incorporation of the HRWS into the water regulation with special attention to vulnerable people and with supply of a vital minimum amount of water for free to all citizens. This proposal was not dealt with before the elections that year and was rejected when a new Andalusian government came into power after the elections (Lara and Del Moral, 2020). Currently, this struggle lingers on.

4.6 Who wins, who loses? Water struggles on the ground and in the media

Right2Water landed on fertile ground in Spain as it could engage with the already present anti-privatization sentiments in the country and build on previous social movements focused on water in Spain (Castela-Lopes, 2021). The Andalusian Parliament unanimously supported a motion promoted by the Spanish Association of Public Water and Sanitation Operators (AEOPAS) and by the New Water Culture Foundation (FNCA) for the recognition of the HRWS and to stop liberalization and commercialization of water services (Limon, 2013b). This can be considered a victory for social movements, even when the Andalusian government did not incorporate the motion in legislation.

Both the Right2Water campaign and the #Initiativa2015 / Social Pact for Public Water were successful because they drew together support from many social organisations and labor unions that struggled against the encroachment of privatization impacting everyday life of people. Unlike in Germany, where the European Right2Water movement achieved a lot of media attention thanks to contingency of a well-known comedian promoting the citizens' Initiative on TV (van den Berge et al., 2018), the water movement in Spain had to conquer the attention of media (e.g. 20minutos, 2013). They did so successfully in the wake of the 15-M movement as shown in figure 4.5 (p.82). Broad societal pressure appeared to be the strongest force to make governments and water utilities acknowledge water as a common (public) good and a human right (Lopez-Ruiz et al., 2020). Right2Water could capitalize on growing dissatisfaction with water policy, concerns about access to quality water and worry over increasing water privatization. The campaign strengthened the Spanish networks that campaigned against urban water services privatization processes and gave an impulse to remunicipalization processes with regards to water services in several Spanish municipalities. More than 50 municipalities and provincial councils approved in their plenary sessions that water is regarded as a human right and that in their political and territorial geographies it must and will remain outside liberalization and commercialization (Del Moral, 2017). The increasing number of re-municipalizations in Spain was an achievement of the Spanish movements. They also proved to be able to combine national pressure on government with local actions to convince and persuade municipalities and citizens that a "new water culture" integrating social and ecological aspects of water management is urgent. As we have scrutinized through various regional and supra-regional cases, the Spanish movement was built on, among others, the three pillars of environmental justice, demanding that its voice was heard and its demands for a socially just water service provision recognized. The demand for public and democratic water services resonated widely in Spain (Planas, 2017; Kishimoto et al., 2020).

The pressure coming from social movements and from European governing bodies in response to Right2Water were a catalyst for local policy change in Spain. The focus in the debate on water services in the past decade shifted from privatization to re-municipalization. Remunicipalization was an unknown issue until 2013. Claims for a new water culture, the human right to water and remunicipalization are all part of the same struggle for water justice, reason why we can witness a cumulative number of mentions in the graph. In 2014

the number of cumulative 'pro-water justice' issues and actors surpass the number of 'water privatization' in the newspapers (figure 4.5). Moreover, the Spanish movements managed at the same time to turn the tide in local water management as they political-materially achieved a halt to privatization of water and a sharp increase in water remunicipalizations since 2014 (Transnational Institute, 2022).

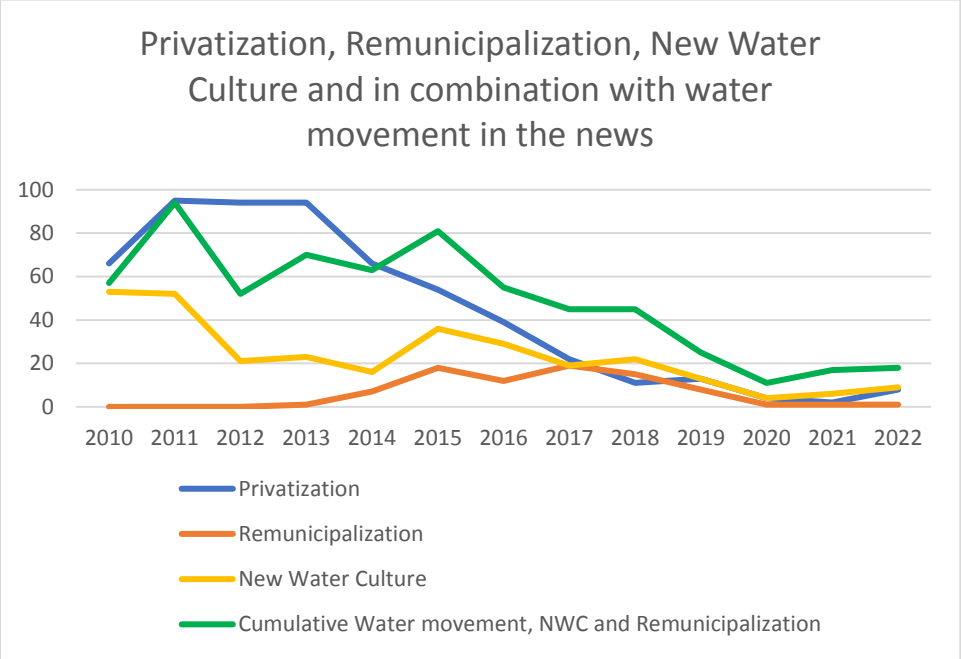

Figure 4.5: The number of times that issues 'Privatization', 'Remunicipalization' or 'New Water Culture' were mentioned in Spanish newspaper articles, in relation to 'water supply', and the last two cumulative with Water movement organisations in the newspapers over the past twelve years. (Source: Own research).

The social pact for public water is the continuation of struggles for water that emerged in times of austerity, built on local initiatives and united a diversity of organisations in Spain in a similar way as right2water had done in Europe (van den Berge et al., 2018). Examples of how the social pact goes beyond the HRWS and the ECI Right2water demands become manifest in the level of concretization. For instance, as several movement leaders explain, "*… when it comes to materializing the human right to water, we will demand the implementation of supply management with criteria of social equity in tariff policies. To do this, it is essential to guarantee a minimum provision... between 60 and 100 liters per person per day – and the commitment not to cut off the supply in cases of socially justified non-payment."* (Flores Baquero et al, 2018, 84). They also make clear how the movement, more than just claiming the HRWS, also speaks out unequivocally against privatization: "*We consider that water and its associated ecosystems are common goods that cannot be appropriated for the benefit of private interests*." (Flores Baquero et al., 2018, 85). This was also clearly expressed during our meeting with one of the FNCA founding members, Pedro Arrojo who, as was mentioned, is now UN Special Rapporteur on the Human Rights to Water and Sanitation: *"There is a direct*

relationship between the 2 billion marginalized people who lack safe and secure water, and the state of our rivers, polluted, depleted or monopolized by anti-democratic forms of government." Arrojo c.s. explained to support river governance approaches with a transdisciplinary and transcultural orientation towards "commoning" and "public-commons" co-governance initiatives (see also *Riverhood*: Boelens et al., 2023). The UN Special Rapporteur: "*Achieving better river governance without recognizing the critical role of societal movements in reclaiming environmental justice is impossible"* (pers. comm. 27 Jan. 2023).

Over the past decade the Spanish water justice movement has developed from a single issue (anti-privatization) alliance to a broad movement in favor of a more democratic and holistic water governance in Spain. The call for the democratic management of water services, i.e. that citizens are not just users and owners of the resource but also actively involved in the management, has been successful (Castro, 2018; Bel, 2020; Kishimoto et al., 2020). This is a powerful claim, running counter to neoliberalism whilst empowering communities to take back control as well as ownership (Moore, 2018).

4.7 Conclusions

By the end of the 20th century struggles for water justice in Spain started with the struggle against the 'top down management' of water, stemming from the time that Franco ruled and water was seen as a commodity. Water activists first used the EU Water Framework Directive and later the human right to water as tools to demand for a new water culture in which water is considered as a common good. The FNCA organised citizen water networks; local branches to fight for ecologically sustainable and socially just water management at the local (basin) level. Inspiration came from struggles around the world, but most from the Italian water movement and from the ECI "Right2Water". After the European Commission recognised that water is not a commodity but a public good and water was exempted from the concession directive, the European struggle slowed down, but continued in Spain with renewed energy. Struggles for water justice in Spain coincided with austerity policies in response to the Eurozone crisis and led to a confluence of social movements. An extraordinary broad and strong movement took the struggle further from anti-privatization to pro-democratization of water management and away from the mercantilist view to a holistic eco-social view on the governance of water. The Spanish movement now seems to be the voice that brings this eco-social view to the global water policy arena.

Human rights principles were already brought into the debate on water management in Spain by the FNCA since 2002. It did not resonate until water supply became an intense battle ground of commodification vs commoning and the negative effects of the "mercantilización" of water became more visible when austerity measures hit hard to the poor and *"indignados"* rose up against it. The FNCA, RAP, the PSAP and MSAA are all examples of collective actions to promote a public management of water and working towards water justice. Their struggles are forthcoming from or strengthened by the cooperation of the European Right2Water movement with movements in Spain, with the latter continuing the struggle for water justice in Spain after 2014 in various and sometimes extended compositions led by the RAP. The Spanish water movements achieved recognition of the HRWS from local and regional governments, awareness around water as a common good and a growing trend of re-

municipalizations of water utilities: from 1 case to 14 cases in eight years between 2006 and 2014 and from 14 to 40 cases in the following eight years between 2014 and 2022. Remunicipalization is the concretization of water justice struggles in Spain through which the Spanish movement has shown that its powerful and resonating discourse can achieve a shift in local water policy and change the paradigm.

The RAP, FNCA and AEOPAS played an important role in the water struggles in Madrid, Valladolid, Terrassa and Barcelona. They succeeded in prevention of privatization in Madrid and the re-municipalization in Valladolid and Terrassa, but did not achieve re-municipalization of water services in Barcelona. As we have explained, the cases of Madrid, Valladolid and Terrassa are three examples of how social movements have led to the integration of societal values in water services, each one combining and balancing the three-fold claim for recognition, redistribution and representation differently. In Barcelona corporate and financial pressure on the municipality was too big to give in to the wish of the population. However, the Catalan law against shut-offs and tariff setting by the AMB can be considered as achievements of the water movement. The MAPiD continue to mobilize for remunicipalization and plan to create a citizen parliament and a water service observatory to put pressure on private actors and on politicians. Although remunicipalization resonates with many municipalities, the financial and legal barriers to reverse water management from private to public are seen as too high by big cities where *("too big to fail")* corporations control water services. Debates about more democratic water governance are continuing, especially in face of pressures on the water supply through climate change and economic crises. This bottom-up voice is proliferating, as recently was shown in – among multiple others – a side event at the UN Water conference 2023 organised by the Spanish and European water movements (FNCA et al., 2023).

The claim of the human right to water in Spain goes beyond an anthropocentric "HRWS". It constitutes today in Spain the banner of a movement that revolves around the concept of water as a common good and aims to build a model of participatory and transparent public water management. The Andalusian roundtable on water (MSAA) goes a step further by including ecological aspects and the agricultural sector in the struggle for water justice. The fact that the HRWS and the concept of water as a common resonate with so many people seems to coincide with the pursuit of sovereignty of people over their life. Simple as in a slogan "water is life" or "write water, speak democracy" it shows that people act to regain control over water and their lives. The Right2Water movement spotlighted issues arising from water service privatization and liberalization and gave a European platform to local water struggles. Advocacy at the EU-level has helped to build momentum for water mobilization efforts in Spain and reciprocally local mobilization in Spain has helped Right2Water gain success at EU-level despite of different cultural and political motives and backgrounds at the different levels. Notwithstanding social pressure on government and despite the huge efforts by social movements, implementation of the HRWS in law has not been achieved; neither in the EU, nor in Spain, nor in Andalusia. The main victory of the Spanish water movement may be that it has overcome the differences between organizations and has built an extraordinary broad and strong movement for water democracy that serves as an example for many around the world.

5. From the European arena to the Dutch exception[19]

Figure 5.1 Right2Water campaign posters in different European languages in the office of the trade union in Luxembourg. (photo EPSU).

[19] This chapter is a revised version of the article published as: Van den Berge, J., Vos, J., Boelens, R., Kishimoto, S., & Jonker, P. (2021). Interview article: water movements' defense of the right to water. From the European arena to the Dutch exception. *The Journal of legal Pluralism and unofficial law*, *53*(3), 438-457. https://doi.org/10.1080/07329113.2021.2013001

5.1 Introduction

Since the early 1990s, the World Bank and financial institutions have promoted the privatization of water services and property rights as a means to improve the efficiency of water supply and people's access to water. Water privatizations and a neoliberal water governance rationality quickly revoked a wave of resistance around the world, with emblematic, high exposure in the Cochabamba Water War, as it often led to increasing prices for water and less access to water for the poor (Bakker, 2010; Hall & Lobina, 2012b, 2012d; Roth et al., 2018; Boelens et al., 2018; Vos & Boelens, 2018; Sultana & Loftus, 2019). The struggles for water justice reached a milestone when the United Nations General Assembly recognized the universal human right to water in 2010 through Resolution 64/292 (UN, 2010). Activists saw a confirmation that "water is for people, not for profit" (Barlow, 2015). This resolution formed the basis on which the European Citizens' Initiative "Water is a human right!" was built. The campaign united social movements and civil society organisations in Europe to demand the implementation of the human right to water in European legislation and subsequently to stop liberalization and privatization of water utilities (van den Berge et.al., 2018, 2021). The movement became known as "Right2Water" and was headed by EPSU, the European Federation of Public Services Unions.

In 2012 and 2013 the Right2Water campaign (figure 5.1) collected nearly two million signatures across the European Union for its proposal to implement the human right to water and sanitation into European legislation (Bieler, 2017; Van den Berge et al., 2018). Local and national citizen movements and water activist groups in many European countries joined ardently, entwining their demands and proposals. Remarkably however, contrary to the expectations and (self) image of the Dutch ("The Dutch, we have water in our genes", and "God created the world but the Dutch created the Netherlands") the campaign did get little response in the Netherlands – quite different also from the response in neighbouring countries as Germany and Belgium.

In this interview chapter we look for explanations; for understanding also how, in this arena, drinking water access and services rights have been defined, legally decreed, and socially defended, at different institutional scale levels. We relate this to questions about the constitution and strategies of Europe's multiscalar social movement, in settings of legal pluralism, governance complexities and legal-normative controversies – in particular the politics of intrasystemic legal pluralism (Guevara-Gil et al., 2010; Roth et al., 2005). The latter arises when multiple layers, spheres or legal sub orders within a positivist legislative framework (formally or apparently) contradict on the same topic – e.g. to allow for privatization of public water utilities or not – and when different actors (often at different scales, i.e. national and EU) mobilize these contradicting rules to advance their interests or worldviews (e.g. Boelens et al., 2015). Since its constitution, the European Commission has promoted an open European market for public service provision. Drinking water provision has always been exempted from obligatory open market procurement. However, at many instances proposals have been presented to force the opening of the drinking water provision market in all member states of the European Union. In 2011 a new proposal was presented

for a concessions directive that would encourage member states to open markets for municipal services including water supply (European Commission, 2011a; CEO, 2013).

In the Netherlands, unlike the UK, France or Spain, all drinking water is provided by public utilities (Turri, 2021). Water utilities are protected against privatization by national law (Pronk, 2002). An obligatory opening of the market for drinking water provision would create legal incompatibility among national and European Union normative frameworks, and, at once, coherence and (neoliberalism-flavoured) uniformity at the European Union scale. At crucial moments the Dutch minister responsible for water provision and the Dutch federation of public drinking water utilities have prevented obligatory marketization of drinking water provision in both the Netherlands as well as at the level of the European Union.

Next to this intrasystemic European legal battlefield, the existence of legal diversity and tensions about control of and participation in drinking water governance are also manifest within countries, as regulations about participation of users' committees in drinking water utilities vary from country to country and among cities (see e.g. Le Strat, 2014).

We interviewed two experts on the theme of the right to water: Satoko Kishimoto, coordinator of the Public Alternatives programme of the Transnational Institute (TNI) in Amsterdam, and Piet Jonker, former manager of Dunea (the public water utility of the province South Holland, The Netherlands) and former chairman of the Commission for Legal and Economic Affairs of "EurEau", the European Federation of National Associations of Water Services). Both have extended experience with water services provision, the human right to water and its practical implications. We spoke with them on separate occasions (Jonker 19 October, Kishimoto 21 October 2021, with subsequent follow-ups) but when writing this chapter, we have combined the two interviews content-wise.

Could you please tell us about your background and your engagement with the water sector?

(SK) My name is Satoko Kishimoto. I'm working for the *Transnational Institute* (TNI) based in Amsterdam. TNI is a policy research organisation supporting and providing research to social movements on environmental and social justice. I was an environmental activist and active in the youth environmental movement in Japan in the 1990s and I began working with TNI in 2003, at the time of the third World Water Forum held in Kyoto, Japan. I started the water justice project in TNI to seek alternatives to water privatization and I am the co-founder and coordinator of the Reclaiming Public Water Network (RPWN). I worked within TNI with the "Right2Water" movement and its campaign the European Citizens' Initiative (ECI) and I am part of the global water justice movement and support local campaigns to fight against water privatization. Privatization is and has been a big issue and the resistance protests are very strong in the global South. I am committed to the global fight for water, environmental and social justice.

(PJ) My name is Piet Jonker. I was director of the "*Duinwaterbedrijf Zuid Holland" ("dune water company for the province South-Holland")*, later Dunea, from 1994 to 2015. Dunea is

one of the ten public drinking water companies in the Netherlands. Before that I was an alderman of Amsterdam for 12 years. In my time as director of Dunea I have been quite active at European level at EurEau, the federation of all national associations of drinking water and waste water companies in the European Union. I was chairman of the committee for economic and legal affairs. I was also active at CEEP *(European Center of Employers and Enterprises providing Public Services),* the European employers' association of public companies.

As an alderman of the city of Amsterdam I started very young, when I was 32, and then I got the municipal water company in my portfolio. Therein lies the relationship with nature, such as with the dunes where Amsterdam water supply comes from, that appealed to me. The director of the water company at that time was active at the International Water Association (IWA), for all kinds of development projects. So, in the 1980's I came into contact with projects in the Middle East, in Japan and everywhere through water, which I found very interesting. When I had been alderman for 12 years in 1994, I wanted to do something at the interface of public and private and then I could become director of Dunea. I actually wanted to do this for five years, but I enjoyed it so much that I stuck with it. So, in fact I've been involved with water since 1982.

From your point of view, what is the way drinking water should be managed?

(SK) The World Bank and other financial institutions keep promoting the privatization agenda, liberalization and commercialization of water. They claim that there is no alternative to achieve universal access to water and sanitation without privatization. I really felt that this is not true. I think there are other ways to make a public system work, based on the real value of what water is and what it means to society; that water is a human right and that water is a common. That means that we have to preserve water resources and to achieve universal access to water.

(PJ) It started in the 1820s in England as a provision for the wealthy, I mean tap water. But soon doctors said that it is very important for public health because it was discovered that Cholera was not caused by bad air but by bad water. Then there was enormous pressure from the medical world to supply clean drinking water everywhere. At the end of the 19th century, this was also achieved in the cities in the Netherlands. You have to realize that drinking water supply is a natural monopoly. Two tubes both serving a few customers in a street is expensive. The costs go down if there is just one pipe that serves all customers, so if you have two suppliers of drinking water, then one will be taken over by the other that then becomes the monopolist. A natural monopoly, which has such important consequences for public health, should and must, in my opinion, be a government task. Globally speaking it is also self-evident. All over the world, with few exceptions, it is a government job that is unfortunately often poorly performed. That is why around 1990 the World Bank started to proclaim everywhere that it was better to let private companies do it, because governments were not doing a proper job. But they all come back from that, because privatization doesn't work either. It is really just a government task that must be organised by the government.

The arguments for privatization have always been: public companies are inefficient; they do not listen to their customers and they are “slow in innovation” ... and privatization will solve that. Various studies have been conducted to determine whether British private water companies were more efficient than the Dutch ones, and that was not the case. A point is that in the Netherlands we have to pay a lot of tax on drinking water. It’s a cash cow for the government. In England you have to pay to the shareholders. What benefit is this for the people? I favor the Dutch model in which the municipalities are in charge, because they are elected representatives. The private model does not give the benefits it promises, and the government always retains responsibility for how drinking water is supplied, the quality of water and for what rates it is delivered, even in a concession. The private interpretation has brought no advantages, rather disadvantages. It is remarkable that also in the United States only one of 80 drinking water companies is a private company. All others are municipal/public companies. Not one of them says it’s convenient to privatize. In Japan, they are also all state-owned companies. The whole idea that private companies are doing better is a delusion, at least not based on facts. It is purely ideology. But that’s the narrative of the European Commission. This brings up this completely ill-considered approach to services of general interest, general economic interest. With all those disasters in postal services and in public transport. Every time they try to turn the drinking water companies into private companies. Under Margaret Thatcher, England went all out on the privatization tour. For some obscure reason the European Commission thought that whatever the English came up with, would be the best for all of Europe. That was adopted without any research in the European Union whether it actually works. So, energy services, postal services, public transport, telecom and other public services were privatized. I think only telecom has been successful. But that is because of the technological developments. In all other sectors it has not worked. An Italian professor, Massimo Florio, has carried out research on behalf of the European Commission, on how privatization has worked out in network sectors (Florio, 2013). He shows that market forces in all these sectors have led to a decline in prosperity. Nothing has been done with that investigation. It’s just a myth that market forces make things better. A government task may of course be delegated, such as the French model of granting concessions. A government fulfils its task by entrusting it to a private company. In my view, if the government keeps control of this, it is in principle also fulfilling that task. I don’t think it’s a good model, but purely from the point of view of the right to water, that’s in principle OK.

(SK) Remunicipalization studies and the water movement argue that privatization has failed and that it is possible to bring water back to the public domain. World Bank and many national policies are, however, obsessed with privatization and neoliberal market ideas. To win this ideological debate we have to demonstrate that it is simply not true that markets ensures better water services. The public water system works much better and we began with water simply because it’s a natural monopoly. Either at local level or national level: there is no competition! In case of privatization through concessions the private management has control over a monopoly of a basic need. We want to keep public management and public ownership over our water. With regards to the management of water, I think it does matter how you organise. In Germany, for instance, they have “Stadtwerke” everywhere and it makes sense to organise at local levels. But in many African countries government is centralized, the

ministry decides which model to choose. In that case it makes sense to decide nationally. European countries are quite decentralized, so they often work from the city level. But the big cities are one thing. Many small towns in Europe have to make intermunicipal arrangements because one town is too small for a water company. So, at these intermunicipal or metropolitan levels it is important to bring back the ownership to the public domain.

(PJ) Another import question is: How do you deal with your customers? Amsterdam traditionally had the system where they said: *"It is so important for public health; poor people also must have a connection to drinking water. We submit the bill to the edifice owner, the person who owns the building. He has to pay, and then charge it to the tenant."* So that is little work for the government and I actually think that was a nice system. Because, if an invoice is not paid, you'd have to shutoff only one owner and, well, shutting off the entire housing association is not possible of course, so it will pay. That's a neat club. That's much better than shutting off all those individual tenants. In The Hague they have done it differently. My utility had a tradition of shutting off, so we cut off drinking water about 2000 times a year in The Hague, when someone had not paid the bill. These were usually reconnected within 24 hours, because if you can't flush the toilet, you understand that you have a problem and you will solve it anyway.

What is your view on the human right to water?

(PJ) In the Netherlands it took a long time before everyone got a connection to the drinking water mains. From an economic point of view, it was much cheaper, especially for the city, to install a drinking water network than for the countryside. Rural municipalities were left behind because it was twice as expensive there. In the 1920s, the provinces emerged and said: We are going to set up regional water companies and connect the rural residents, because they often have to drink water from open sources. Ultimately, this was achieved in 1975 with the Drinking Water Act, which stipulates that drinking water companies provide everyone with drinking water for the same rate. Whether you live near the water pumping station or in a small village in the middle of the country, all have the same rate. A form of solidarity that I favor. Since then, drinking water supply in the Netherlands has been well organized, but that is not the case in many places worldwide. I have always seen the human right to water as a means to put pressure on governments to ensure that everyone gets a connection to the drinking water network. Everyone needs water, but in the slums around big cities in the Third World people have to buy water that is not supplied via the drinking water network. Usually that is by tanker trucks, that get the water from 10-20 km away, so that transport is many times more expensive than transporting water with a pump and pipeline. Poor people who live in slums, this way, pay a lot for their water. They would greatly benefit from a connection to the network. The costs of connection can easily be earned back, because you have a much cheaper way of water supply. The only problem is that poor people can't afford to pay for the network. That is typically a government job. The government simply has to do the pre-financing of the network, then people can pay it back. Governments often don't do this. Elites in poor countries often use development money for the construction of roads, and not for drinking water supply, because they already have a car and a road suits them.

Moreover, they also already have a drinking water network in the city, so whether poor people in the slums get drinking water is not interesting to them. They choose systematically for the construction of roads and not for a drinking water system. So, the right to water, for me is the right to a connection to the drinking water network.

(SK) I think of the human right to water as a kind of narrative, a discourse that enables legal and policy changes. The United Nations General Assembly declaration in 2010, in which the human right to water was recognised, created an interesting momentum. It showed political positions and people politically united around the value of water. It was a recognition of our collective actions and confirmed our struggle at the UN level. I think the human right to water and sanitation is a fundamental starting point for water governance, both at UN level and at EU level. That was the case in 2010 and after that I kept following the issue. I actually have not worked on this personally. The Blue Planet project in Canada coordinated the efforts and of course Pablo Solon, the then Bolivian ambassador to the United Nations, played an important role. My role is to bring people together that are on the ground fighting against water privatization and to make them join forces by networking and communication.

5.2 Privatization of water services

As a matter of fact, behind its claim for legally enacting the human right to water throughout the EU, the hidden agenda of Right2Water and the trade unions was to demand a stop to liberalization of water services in the European Union. A call to prohibit privatization.

Nevertheless, is legislative ruling and legal ratification of 'the human right to water' necessarily in contradiction with 'privatization'?

(SK) The Netherlands is considered as one of the most democratic countries in terms of water management. One significant thing is the law that does not allow private water management. Of course, that is importantly related to the origins and creation of the country and its history of water management. The governance of water by elected water boards is a very interesting example of democratic water governance, and the Netherlands has very well-functioning public water utilities. This is very inspiring. As a matter of fact, almost no countries have that level of concretely prohibited private ownership of water. There are several countries that have the human right to water in their constitution, but that does not necessarily prohibit private management of water. It depends on how the constitution is interpreted. See for example the situation in Chile. Chile is one of the rare countries in the world that has legally enacted private ownership of water resources and their management. Only in the UK, Chile and Malaysia this is the case. Now Chili's movement is fighting for water as a human right, considering it a national sovereignty affair and a common, whereby the law should not allow private management. The movement probably will succeed putting through that access to water is a human right, but that's just one step. After that, how to own and manage water is still a contested issue. It is not likely that the Chilean water movement is able to achieve a law that prohibits private ownership, unfortunately. In that sense I think the Dutch law is unique. Of course, the Dutch water companies are working with the private sector in technology and

research, but the point is: who decides over water? Who decides about investments, about safety and quality, about policies? This is what we talk about when deciding on ownership. The Netherlands is really unique with its water law and as movement we are pushing this legislative model of the Netherlands.

(PJ) For me the crucial political action moment in the Netherlands was in 1995-96. Then Margreeth de Boer was Minister of Housing, Spatial Planning and the Environment (VROM), and the European Commission wanted to introduce the single market for services, so also for water. The minister hired some consultants that had to do research on how this could be achieved. We, the water companies, were really worried that things would go wrong, so we played it on procrastination asking for more issues to be figured out, etc. The ministry officials were really struggling with it: *"Brussels insists on it, other businesses insist, so we have to deal with it."* Fortunately, then, Jan Pronk became the Minister and he quickly put an end to the discussion in the Netherlands. I am still grateful to him. Jan Pronk (PvdA, social democrat) was minister of VROM from 1998 to 2002 and he had ensured that drinking water could not be privatized by making it into law (Pronk, 2002).

Frits Bolkestein (VVD, Dutch liberal-conservative party) became European Commissioner, a few years after, and he thought this Dutch water law to be abysmal. So, he tried to open the market for water services through using the European Union and ordered a study: how could the drinking water supply be improved through privatization? Bolkestein, through the European Commission, called in an English agency to find out whether competition would bring benefits.

I then visited the researchers in Brussels a few times and convinced them that this was a dead end. As I explained, the network is a natural monopoly. To enable multiple providers, you must therefore allow different flows to enter and exit the grid. Drinking water, however, is a perishable product, if it stands still in the network, the quality deteriorates. If water enters from two sides, it will stand still in the middle. That's a serious threat. The researchers then wrote piles of protocols on how to deal with the quality problems that would arise and the plan died a soft death. The European Commission tried it again later on, for example, during the drafting of the new Concessions Directive (European Commission, 2011a). But after heated debates in Parliament and in response to the Right2Water movement initiative (European Commission, 2014; European Parliament, 2015), Article 12 exempts drinking water provision from public procurement (see European Commission, 2023).

Someone in the policy department once said to me: *"I don't understand it at all. Aren't we just trying to see if we can do better? So why is there a bus with Austrian mayors coming to Brussels and saying that water should not be privatized? Those people don't understand it at all!"* To which I said: *"I think those people just look better. Why do you think it gets better? Privatization doesn't make anything better. That's a myth and it's just not true."*

After that it actually became quiet around the market discussion. Only the French are still trying to stir up the discussion, but no Commissioner in the European Commission dares to raise the point of marketization and commercialization of water services. Water is still much more sensitive than other public services.

(SK) Before Covid, establishing liberalization and integrated market policies was the mission of the European Union and almost like their identity. Luckily water is exempted from the European Concessions Directive. In other areas like energy, care, or transport it is all about competition in the integrated single market and this policy is persistent. Why I talk about Covid is because through Covid it has become so clear in, for instance, the care sector, what has been happening because of this competition: workers are paid so little, the labor market is lacking workers and multinationals make huge profits. This is the model that the EU has promoted and I think that in these areas we have to protect the public interest. Not only that water is fundamental, but it is also clear that water cannot be treated with a market logic. When it comes to care, education, waste collections, energy or housing; these are important local government services we consider as commons or as public services and public goods. Strategically water is a good example of a commons and public service and our approach is to extend the notion that other commons and public goods must be protected from market ideologies and competition.

5.3 A global right to water

Some scholars have indicated potential dangers of legally decreeing a universal human right to water. For example Franz and Keebet von Benda-Beckmann (2003, 65) specify that *"Five issues deserve closer inspection: The object of the human right to water, the dynamic character of human rights, their political and legal nature, the institutional consequences of formulating a human right to water either as an individual or a collective right, and its relation to existing rights to water."* Their particular concern is that the human right to water may lead to universalistic policies that can undermine specific, well-functioning local solutions that are already in place (cf. von Benda-Beckmann et al., 2009); and that the human right to water is based on an individual right and not on a collective right to water. *"Addition of yet another definition of water rights may cause conflict or unexpected interferences with existing property regimes. States fulfilling their obligations related to the human right to water may, for instance, start intervening in existing water property regimes, changing and possibly marginalizing existing water institutions and use practices in the process."* (Roth et al., 2015, 464). Also it has been pointed out that the human right to water does not exclude the monopolistic provision of drinking water by powerful commercial companies, and indeed, some private drinking water companies claim that they are best suited to take care of making the human right to water a concrete reality (Bakker, 2007, 2010; Mirosa and Harris, 2012; van den Berge et al., 2020). The problem of biased (e.g. neoliberal-flavoured and/or techno-centrically quantified) interpretations of the human right to water has also been indicated by, among others, Linton (2013), Sultana and Loftus (2019), and Duarte-Abadía et al. (2021).[20]

[20] The UN resolution and the Right2Water campaign raise questions about the notion of human right to water in relation to public or private drinking water governance, the level at which general regulations about drinking water governance should be set, and who should decide about that (see e.g. Mirosa and Harris, 2012). The notion even differs between the two consecutive UN special rapporteurs, respectively Catarina de Albuquerque and Leo Heller. The first sees the human right to water as "neutral" towards private or public management and

What are, according to you, the disadvantages of installing at worldwide level the human right to water? What are the pitfalls, challenges or dangers?

(SK) The human right to water doesn't ensure access to water in practice automatically. It is a legal notion and an important value, but it's not automatically translated into a reality in which everybody gets water. That's one pitfall. The second thing is that human rights to water as such cannot prohibit profitmaking completely. I'm talking about ownership question. So that's another pitfall. On the other hand, enacting the human right to water does guarantee that in those cases where water services provision cannot be profitable in market terms, governments are obliged to guarantee access. There, often the discussion is about the notion of water's value for different uses of water. Some people may argue that's it is a scarce resource and not charging the full costs is "wasting" a scarce resource. But take, for example, an informal settlement with 100,000 people in Nigeria, where people don't have access to water for their basic needs like washing, drinking and hygiene. If those people get access to water without being charged for it, can you then speak of a waste of the resource? I don't think so. On the contrary there is a huge waste of water resources because of contamination in many different places. This is happening in agriculture and in mining. This has to be addressed when we talk about resource scarcity. Scarcity is caused by contamination and overexploitation of resources. Especially in agribusiness agriculture, but it is also the case with nuclear plants or fossil fuel extraction. These are unsustainable practices that need a lot of water and cause contamination of water resources. I think that's the core issue. Water scarcity situations, particularly if created by these extractivist practices, need to be countered by guaranteeing as the minimum that water access is a human right.

5.4 The human right and disconnection

The activist movement's normative interpretation of 'the human right to water' is often connected to users' rights to not be disconnected at no point in time, to permanent water access opportunities. For instance, in Barcelona, during the financial crisis in 2008-2014, the occupy movement made the ban of shutting off electricity, gas or water for non-payment an important issue. This issue was directly linked to the human right to water (Kishimoto et al., 2014; March et al., 2019, cf. Lobina et al, 2019).

(PJ) The human right to water should not be interpreted in such a way that you are going to reward bad behaviour. A judge in the Netherlands has said that shutting off someone is a violation of the human right to water. Fortunately, that has been reversed on appeal, due to the fact that you have to distinguish between people who do not want to pay and people who cannot pay. For people who cannot pay, assistance must be called in. England is an example of what a ban on shutoff can lead to. Due to the possibility of shutting off, the number of bad debts in the Netherlands is at most 0.5% of turnover. That is a very limited group. You can shut off people who do not pay the bill and who continue to live at an address. In England,

provision of water services (De Albuquerque & Roaf, 2014), whereas the second sees privatization of water as problematic with regards to the human right to water (Heller, 2020).

when the drinking water supply was privatized, they have said: *"Water supply is becoming a profit maker and we must therefore protect customers from disconnection*." So, the English water company is no longer allowed to shutoff. In the beginning, the drinking water companies in England did not mind, because the loss of unpaid bills was converted into an increase in the rate. At one point, 30% of households had more than one year of not paying the bill, because they knew: *"I just don't pay and then nothing happens."* Then the rule was invented: if an owner-occupier has not paid the bill for more than a year, the drinking water company is obliged to demand the forced sale of the house in a procedure. So, then the right to water was at first *"you may not be shutoff",* but eventually translated into: *"the right of the water company to forcibly sell your house*." What are we doing then? We really have to make sure that everyone understands that it is only a small amount one pays for drinking water, but you have to pay that. Of course, people who are in debt, that's a completely different story, for that you have to provide aid as a government, but if you don't want to pay, then you just have to be obliged to pay the bill, with closing as a pressure tool. That's how I've always explained it.

(SK) There are a few layers of issues here when considering shutting off citizens. In the case of Spain 50% of the water companies is private and a private company doesn't care because it is compensated through social security. They don't care where money comes from as long as they get money. So, after all the public sector has to pay for the people who are not able to pay and it is like a double payment by the public sector: firstly, for providing the service to all and secondly for the people that are unable to pay. If you delegate management to the private sector you cannot decide by yourself. In case you want to prohibit the water shutting off because of non-payment, that means you have to compensate the private sector. That's the kind of tragedy of privatization as such. In terms of the financial sustainability of the water company. Often that is an issue, but it does not depend on non-payment. Some people say that if you provide water free of charge, then people use as much as they want and then they fill their swimming pool for free. This kind of extreme is often used by the private sector to show that water for free is a waste of money and a waste of the resource. But it's a kind of silly to think that financial sustainability is about filling the swimming pool. Of course, you should charge for the use of water, but the basic need of people is something you don't have to charge. This can depend on the situation in a country, the social situation of people and then you can differentiate in tariffs by public policy. Solidarity means collective responsibility of society. So, if you begin with solidarity and collective responsibility, then you know that society has to cover for the people who are not able to pay! In my view this is the normal approach and it means that how we consider and value water in our society is the fundamental question to answer.

(PJ) The English example shows that if you are not allowed to shutoff, a lot of people will think *"then I don't have to pay"*. And if you continue that, in the end, there's only one person left who has to pay the whole bill for everyone. That cannot be the intention. You have to ensure a fair tariff. Everyone has to pay, just like with taxes. Shutting off is really a very effective means of ensuring that everyone pays. Furthermore, there are cases of drug addicts, mentally confused people, people in debt. There are protocols for this and, for example, debt assistance. If such an institution says: "Wait a while before closing, because this client is not

able to pay for a while", then we simply don't do that. If people cannot pay, there must be a procedure to exempt those people from shutting off. And then you're left with an unpaid bill. That is actually a matter of general solidarity to then spread it over the other customers.

5.5 Legal pluralism

Water use situations are often governed by a plurality of rules, norms, and laws that originate from different sources. In practice, these plural socio-normative notions are mobilized for the purpose of regulating water (Roth et al., 2015). This also implies that there are tensions on where what is decided and who can decide on the provision of water supply, or the shutting off of water supply. Are states, as ultimately responsible for implementing the human right to water, best positioned for providing water and governing water? Here also, the question rises if the right to water is to be seen as a collective right or an individual right, and whether water is to be seen as a common (public good) or as a commodity. The implications of defining water as a human right depend on meanings and uses of water, as well as on governance and regulation of water and control over water, that is often legally complex (von Benda-Beckmann & von Benda-Beckmann, 2003).

At what level should the main authority for governing water be vested? At European level, national level or at the level of municipalities?

(SK) In case of water and sanitation I think at state level. The national level is the most important because this is about long-term public investment. Cities can do the operation of services, but in case of investment, protection of resources and policy of non-payment, this is beyond municipalities. To ensure access to water is a government responsibility. Especially in sanitation, you cannot make the infrastructures without state involvement. This is a 100 years project. In the EU no country did this without state money and state commitment, so why don't we allow countries in Africa to do that? The EU is imposing these countries to open up the market for water and sanitation services but we ourselves we never did this without strong state commitment and money. So, I think this is very hypocritic. This is a kind of colonial approach to other countries. Japan, Korea, the US the same. You know all developed countries have the infrastructure built by the state, not by cities, because this is much too much for cities. State level governance and investment is important when it comes to infrastructure and to ensure access to water, in particular in developing countries. I also very much value the role of cities, especially in Europe, where they have the power, and play a role as pioneers for ambitious climate and environmental protection policies.

(PJ) In the European Union agreements, also after strong civil society protests against Bolkestein's economic liberalization plans, nowadays, this is basically an issue to be settled at national level. Sectors labelled as "economic service providers" need to be opened up to the European rules of the competitive market. If, however, a country says: this sector is a *"non-economic service of general interest",* that sector does not have to be opened to the internal European market. The Netherlands declared the provision of drinking water as "non-economic service of general interest". So, the only risk that remains is a new fight over

whether or not water is an economic or non-economic service of general interest. The examples worldwide show that things have not improved for citizens as a result of the introduction of market forces. Even in England they are going to revoke the concessions and nationalize the water companies again. We shouldn't get distracted by those delusions that with competition network services get better. They just don't.

So, the crucial role is for states in implementing the human right to water to ensure clean water for all inhabitants?

(SK) A complex discussion, especially in Latin America, is the autonomy of the indigenous people and communities and the role of the State. Sometimes a state can be undemocratic. The human right to water is a state responsibility, but if you look at Bolivia, for example, it has a constitutional human right to water, but it is failing in recognizing the history and self-management of community water systems. About 25% of the population in Latin America is served by an autonomous community water system. Also, in the United States there are many cooperatives that manage their water system. Instead of supporting and acknowledging the community water system, which is actually materializing the human right to water, states are attacking these community systems because they are not part of the official system. This is another pitfall indeed, when a state is failing to recognize the important contribution that communities themselves make to society, and their history in making and managing their own water system. States can even be hostile to communities and make life more difficult for local communities by not giving a permission for community water supply or setting up regulation in a way that communities are unable to provide water. In Latin America there is a lot of debate about the issue of how autonomous community water systems sometimes are impeded by states or local authority and that payment for water is only to allow private sector companies in, as private companies can meet the regulation, whereas communities cannot. It's a very complex debate. I really believe that the human right to water alone is not a solution to achieve access to water. It's also a matter of democracy and the involvement of people from community and rural level to urban level and big city settings. It's all about how to make democratic space for decision making over water and how to engage people in this. The human right to water can be useful for the construction of a democratic public water management system. States do have a responsibility to ensure water supply, but should also have a commitment that does not undermine the autonomy of local communities that ensure their own water.

(PJ) It's still pretty much everywhere a government job to ensure drinking water. Also, in Italy, France, Germany, Spain, but there is sometimes a tendency to privatize those public companies because some politicians think it will get better. That's the ideology behind this. It's not that these countries have less eye for the public interest, but the Netherlands has closed the discussion on privatization and you have to attribute that to Jan Pronk. In other countries, the discussion was never closed, so it can flare up again. I think the northern countries, Sweden or Finland for example, do not think about privatizing water companies. In Italy they work a lot with concessions, but there is the problem of the mafia. In particular regions, the mafia subscribes to a concession for drinking water for a rate that is too low / loss-making, but ensures that the contract includes that the rate can be adjusted in case of

changed circumstances. Once they get the concession, the mafia will have the power over the drinking water monopoly. Concessions must be more transparent and have a stipulation that you cannot change the conditions afterwards. That's a good anti-mafia provision. The disadvantage of concessions is that, if there are changed circumstances, you have to incorporate them into the contract in some way. Or if the legislation changes, you must be able to adjust the contract. This offers enormous opportunities for corruption and mafia practices. In France concessions have been granted for a long time, also for drinking water companies. The French Association of Mayors *("Association des Maires")* supports municipalities in carrying out these tenders and developed criteria, e.g.: *"what can a connection cost?"* In this way, the French municipalities got better and better at doing those tenders and now the French drinking water companies Veolia and Suez complain that the French market has become completely worthless. They cannot make profit anymore. I will not say that it will get better, but it is possible to organise drinking water supply through concessions as long as those concessions are transparent and strict. In Berlin they bought back the water company, right? That concession just didn't work.

Do you also see a role of citizens in the direct management of water utilities?

(SK) On one side there is state responsibility. The other side is democracy, democratic management or governance never happened without citizens involvement. We are very inspired by Eau de Paris (water company of the city of Paris, created after the remunicipalization in 2010). Eau de Paris did something new: they searched how to create a new public water company with involvement of workers, communities, users and universities. They created a water observatory and tried to create a collective co-producing and co-governance model. This model inspired many other cities/places. Water is a natural monopoly. Good professional people and politicians can do a good job in providing and ensuring water services, but if the public sector is not truly aware of accountability and transparency it can easily go wrong and become ineffective. We know examples of a public sector that is failing in places. That's why we are advocating that this is not only about ownership. It is also about the notion of public values and governance of commons. Public funding is the basis, but public services must also be open (= participatory), accountable and transparent. Active citizens' participation in water and sanitation initiatives is crucial to ensure sustainable improvements in water services for the poorest. The role of civil society organisations, community groups and trade unions is essential to secure accountability and responsiveness of public utilities. In the last 10-15 years there is a positive trend in which an increasing number of public utilities and local communities have developed partnerships and work together as equal partners to achieve social objectives like connecting marginalized people to water supply and sanitation. In this 21st century this notion is essential to tackle societal challenges such as climate change and inequality, for which there is no technocratic solution. Society as a whole has to work on these challenges.

(PJ) Citizen participation is especially important when it comes to organising the drinking water supply: in what organisational form can citizens have sufficient confidence that their interests are well served? Most citizens will not be interested in going into the details of concrete decisions, leaving it to those in whom they are confident to put their interests first.

I am therefore a strong supporter of making good use of expertise, subject of course to a number of conditions, such as being transparent about who paid for the research and possible conflicts of interest. And that certainly applies to water supply. Experts have to be involved and they have to be under political control, with the aim to manage the system, not try to create a market.

5.6 The Right2Water campaign

The European Citizens' Initiative (ECI) "Right2Water" made three demands by which the European Union could implement the human right to water in EU legislation. These demands were: 1. Guarantee water to all EU inhabitants; 2. A stop to liberalization of water services, and 3. A bigger effort by the European Union to achieve global universal access to water (see also Bieler, 2021; Van den Berge et al., 2018, 2021). Given the fact that the campaign succeeded in collecting 1.9 million signatures, the European Commission was formally obliged to respond to the three demands. The response disappointed the movement as the Commission stated that it had already acted on the second demand by exempting water from the concession directive; that access to water in the European Union was a matter for member states and that the European Union already was the biggest contributor in development cooperation to achieve universal (global) access to water (European Commission, 2014; see also EPSU, 2014).

How do you view the role, strategy and impact of the ECI "Right2Water"?

(SK) For me there are two very important milestone moments for water justice. One is in 2010 when the human right to water was recognized in the UN General Assembly. This confirmed our struggle at the UN level. Next, is the milestone at European level; the European Citizens' Initiative "Right2Water". Thanks to you, Jerry, at that time, EPSU, the European Federation of Public Services Unions, the trade union, took the lead to set up the ECI. That is, to utilize the tool that the European Union created for citizen participation in EU policy. This was an important moment for the movement to show how this tool can work for us. You made a big contribution to this and I think it is important to realize that although this work is at European level it has a huge implication at international and global level. Because the European Citizens' Initiative demanded and consciously included global dimensions of water, not just access to water for European citizens, but also globally. For me this was very important to engage in this campaign since the water movement is global.

I found the ECI design very progressive, it did not just demand the EU to contribute to universal access to water, but also proposed concrete ways like public-public partnerships as a way forward beyond EU territory. This allowed us to connect to water movements in the South. Although it is a European initiative and European citizens are primarily responsible for it, the water justice movement really considers it as a global milestone. There are many legal struggles going on from South Africa to Ecuador, Bolivia, Chile, Mexico and Brazil. Especially in the Americas resistance is taking place in the streets. Local action is very important, but to achieve social justice there are also legislative challenges at all geographic and scale levels. I

think this is an example for the movement, to keep working on these levels from street to legislation.

The ECI can also be used as an example beyond the water sector. It helps to realize how this kind of strategy can be used in other sectors. It is an important aspect for academic or intellectual study. “Right2Water” was very important as social movement. It showed the importance of networking and alliance building and about shared values and trust. Without that, this kind of concerted action never would have happened. The water justice movement is very clear about how strongly the ownership matters. Who provides water, matters. Other NGOs like, for instance, the Transparency International type of groups that did not join “Right2Water” and the water justice movement, follow the discourse that ownership doesn't matter as long as services are good. This is a mainstream discourse, but we really believe that it does matter who provides water. It is about human rights, not about a business model, it is about democracy. That’s why this is a public responsibility. Protecting the environment is a public policy and public interest. We can’t and won't allow the private sector to decide over or to control our water. It’s the people, governments and public authorities that are in the center of, and decide over, their water management. The ECI was not only about collecting signatures but was also to make our voice heard for water as a human right and as a common.

(PJ) The trade union movement started “Right2Water” because they feared the adverse effects privatization would have on the interests of their members. By tapping into the feeling of citizens that privatization of the drinking water companies would also harm their interests, the initiative of the trade union movement resonated and became successful. In my view, the initiative has had little effect because the European Union does not have the power to interfere in privatization. The European Commission shifted the discussion to the Drinking Water Directive, a typical expert subject, aimed at establishing the quality requirements that must be imposed on drinking water and how that quality must be safeguarded. Personally, I would have preferred that the EU's response to the citizens' initiative would have been to promote the connection of homes to the drinking water network, which is a clear public interest, and where there are still significant backlogs in Europe. In Romania, still half of the homes are not connected and have to rely on their own extraction wells, often of questionable quality. In my opinion, this fits well with the UN’s declaration and has also been included in the Sustainable Development Goals. This opportunity has been missed.

(SK) I think the ECI was an amazing kind of beautiful collaboration. EPSU, the European federation of public services unions, made a clear kind of resolution to take up this challenge and it was the first successful ECI ever, so that itself is very historical. An institutional infrastructure that EPSU had, was needed because there are a lot of limitations. For example: you must achieve a threshold in at least seven countries, and a lot of legal requirements. That’s something a small social movement type of organization cannot do. EPSU also consciously created a citizens’ committee of not only trade union representatives but also actively invited civil society. Right2Water successfully created collective ownership of the campaign. Local groups took it as their own movement and in the end Right2Water collected nearly two million signatures which was much more than required. It was a collective campaign and a success by uniting many different organisations. TNI and small grassroots

organisations learned a lot about movement building. Other movement are looking at the water movement in terms of strategy, unity and politics. The Right2Water movement is still a strong reference point for many organisations.

In Germany, as in several other countries, the European Citizens' Initiative Right2water triggered massive debate and support, but in the Netherlands, it hardly stirred anything (figure 5.2). Why was there not more agitation in the Netherlands?

Figure 5.2 The Right2Water campaign poster in Dutch.

(PJ) Because there was no sense of urgency. People in the Netherlands see no problem. In Germany there was a heated discussion about privatization. As a result of the German unification and merging of East and West Berlin, the city of Berlin ran into enormous financial problems. Subsidies that used to apply to West Berlin lapsed and the backlogs of East Berlin were added. Berlin had to sell and therefore privatize everything, including the energy company and their drinking water company. People were against that back then, and rightly so, because the private companies received guaranteed returns at the expense of the customers and the employees (figure 6.2 (p.113)). Privatization was also underway in other places in Germany. When the European citizens' initiative came up, I can understand that many people say: I am signing for this. But the Dutch thought: “There is no problem with the water supply”, so people didn’t worry. Dutch public water companies were not concerned either, because it had already been arranged by law that a water company could not be privatized in the Netherlands. Neither the water companies were afraid of the Concession

Directive, because the Lisbon Treaty, with the protocol on the Functioning of the European Union, provided that the Member States themselves determine what are the not-economic services of general interest. These are exempted from European regulations; the Member States alone decide on this. The Netherlands said in an official statement: the drinking water companies are not-economic services of general interest. The Concession Directive only concerns economic services. There is only a risk if the European Union were to state that drinking water supply is an economic service and that the Netherlands therefore no longer decides on this itself. That is still a possibility.

(SK) I think that that people are confident on this issue that water management is in good and democratic, public hands. While in Spain, Italy, Greece and in Germany or the UK – actually almost everywhere except in the Netherlands – people have to fight against privatization or fight for their basic right to water, so that's a fundamental difference. I think a good contrast is especially Italy, because the Italian population made a huge national movement in 2011 and organised a referendum about water privatization and has won this. 98% of the population voted against water privatization and the turn-out for the referendum was about 56%. This was great, a reference point for the water movement. There is a lot of space to argue how this constitutional change actually has brought real changes for people and many people are very critical on the result. Nevertheless, I think this was a historical achievement. In Italy people really had to fight privatization because local government had to have a share of at least 30% private water management. That has never happened in the Netherlands because it has a legally protected public system. This makes a huge difference.

5.7 Reflections

Both Kishimoto as Jonker agree that Europe's drinking water provision should be managed at public/national levels and emphasize the importance of citizens' participation in water control, with supranational governance facilitation and public rights defense. Water is an essential basic need and its provision is a task and an obligation for governments that cannot be left to market institutions and forces. They both mention solidarity as an important principle for fair, affordable and equal water services. Jonker and Kishimoto, thereby, explained the paradox of the dormant Dutch movement. Public water management is historically deeply ingrained in the Dutch legal and governance system (even though supranational scale neoliberal attacks had to be astutely neutralized), making the struggle for water access and control an issue that is not felt as something urgent or in danger. At the same time, it is common wisdom around the world that both social-materially upcoming and discursively constructed water crises are key momentums that trigger new (often neoliberal) water regimes that claim to present the governance solutions that state administrations and commons would not be able to provide. This may be an important lesson that the Dutch water movement can learn from it cross-European peers, who have already faced numerous crisis-discourse related neoliberal reforms.

Jonker explains the human right to water as a right to be connected to a water supply network and links it to the problem of shutoffs for non-payment: whoever manages the water provision – a public, private or communal provider – it should always be possible to disconnect non-payers because otherwise users will stop paying. Vulnerable users who cannot pay for whatever reason should get support. Kishimoto explains the human right to water as a right to have a say in and ownership of the water supply and links it to local-global inequalities in access to and control over water. With regards to privatization of water property rights and services control, which they both object, Jonker's position is more towards a practical stance that privatization does not improve access or quality of water supply and therefore is no solution to poor service provision by a government. Kishimoto's position is more a principal stance that water is a common and public good that must be democratically controlled, thus never be handed over to a private company.

While both public water advocates recognize the vast importance of a strong civil society movement to defend publicly controlled drinking water provision, Jonker found the European Citizens' Initiative a missed opportunity to improve water access in Europe – this demand was actually turned down by the European Commission with the excuse that water provision is already well-organized and in fact a matter for member states. Kishimoto found the ECI Right2Water an example for global social movements and grassroots organisations in uniting diverse groups for a common goal, in collective campaigning, in addressing legal as well as street-arena battles and in connecting local and global struggles.

Right2Water acted on the strong ambivalence embedded in the European Union's intrasystemic legal pluralism: making use of the EU's bottom-up participatory rule-influencing opportunities to fight the EU's top-down company-biased and technocratic decision-making; fighting against the Commission's market rules and institutions to allow for national and local public water governance; while also campaigning for universal/Europe-wide guarantees for the human right to water as a legal, moral and political tool to fight lower scale-level practices of water monopolisation and hoarding. Scholars have rightly pointed at the pitfalls and dangers of 'the human right to water' as a universalistic, technocratic and potentially marketization-prone policy tool if shaped in the hands, minds and offices of neoliberal water doctors and centralistic desk jockey hydrocrats. Right2Water acted upon these challenges by claiming the human right to water as a matter of public-commons based governance, by demanding to entwine water access and decision control as both an individual and collective right, and by expressing, socializing and materializing the very notion of the human right to water as one that is based on uniting diversities while being grounded in supralocal solidarity.

6. Discussion and Conclusion

Figure 6.1 Fountain event in Leipzig, Germany on 21 June 2012 (photo EPSU).

6.1 Introduction: People standing up for their right and taking back control over (their) water

This chapter discusses and appraises the empirical findings of the case studies using the entwined frameworks of Cumbers and Dufour. I reflect on the concepts and methodology of this research and on my positionality. The final conclusion that follows answers the main question of this research. I also give a few recommendations that may contribute to a new generation of water movements and engaged scholars. In the epilogue I come back to the prologue where my reflections started.

When EPSU took its decision to start a European Citizens' Initiative in 2009, its members did not expect that a new social movement would arise from this campaign. It was a way for trade unions to gain attention and it was a way to challenge European market and privatization policies. This was the strategic goal behind the ECI. The objective was to test the new political tool that was provided by the European Commission. The latter installed the ECI as a means to bring citizens closer to the EU by enhanced participatory democracy, as decided in the Lisbon Treaty (European Commission, 2009).

The campaign to implement the human right to water in European law was launched in a period of unrest in the European Union. Austerity measures were at a peak, banks needed to be rescued following the debacle of the financial crisis, and nationalist actors in different countries fuelled Euroscepticism (e.g., Zacune, 2013; Erne et al., 2015; Bijsmans, 2021). The pressure on the European Commission to end the crisis and to regain confidence in the European project was high. EPSU's ECI organizers found an issue of common interest in 'water', as a means to influence European policies.

Preparations for the campaign started in 2011 by forming a coalition. This was my role that I took up enthusiastically while I started in a new job that I was passionate about because of the issues that I was dealing with (energy, water and environmental services). I expected to meet the same enthusiasm in trade union colleagues and in partner organization colleagues, and I did not expect to meet any resistance by our allies to the goal of implementing the human right to water. Right2Water proposed: guaranteed water services provision for all inhabitants in the EU; a stop to liberalization of water services; and a bigger effort by the EU to achieve global universal access to water and sanitation. This could be implemented by a number of suggestions that Right2Water made, strategically, to open up space for manoeuvre and thus for negotiations among allies. EPSU was an experienced policy entrepreneur (Huitema et al., 2011) that knew how to play the political game.

Who could be against the human right to water? As is the same with many things; not being against does not mean being in favor; let alone to take action. Coalition building was an important step and according to Szabó et al. (2022) one of the decisive factors that drove the success of Right2Water. However, a coalition does not equate a social movement. The Brussels based coalition team campaigned about 4 months without a big increase in statements of support. It experienced the problems of language barriers, national regulations in addition to strict European rules about collection of signatures, and local/national realities

in water provision, policies and politics that stood far from the Brussels political arena. Learning through trial and error and a constant search for new allies created a slowly growing alliance. Support increased in 2013 after a highly popular German comedian expressed his support on German TV.[21] Media attention appeared to be paramount for the success of the Right2Water campaign. The increase in attention led in turn to an increase in citizens' awareness of EU water policy and instigated the transformation of the coalition into a Europe wide movement.

In this dissertation I have analyzed this incipient social movement by using an entwined framework consisting of the seven Global Justice Movement characteristics given by Cumbers et al. (2008) and the three additional criteria by Dufour (2021). Next to this framework I analyzed what role the ambiguous human right to water and sanitation played in the fight against privatization and for a socially just water supply for all Europeans, and what vulnerabilities exist to achieve and ensure such a level of accessible, affordable, acceptable and equitable good quality water services provision for all EU inhabitants.

6.2 Understanding Right2Water

6.2.1 Right2Water as a movement for water justice

a. *In what way does the European Right2Water movement qualify as a global justice movement and what characteristics of the movement support this qualification?*

Global justice movements are groups of people who have a collective goal in tackling a societal problem of injustice that is visible both at the local and global level and who take collective action at both levels following their collective vision, based on principles of equity and solidarity (Cumbers et al., 2008). The movement is an outcome of the debate among the different groups if they decide to take collective action, agree on how action should be taken, and coincide regarding the ultimate goal they want to achieve. A movement is broader than an international action committee or working group in the sense that it must be locally grounded and rooted in society among various citizens' collectives. I have analyzed the European Right2Water movement along these characteristics.

According to Cumbers et al. (2008), a networked movement should have a collective vision. In the case of Right2Water this vision is somehow blurred because of the strategic choice to make three proposals to change EU water policy. The vision was strong in EPSU, which envisioned water services as the final frontier that could not be surpassed in liberalization and privatization policies. Water must be kept in public hands was the vision on which EPSU decided to start a European Citizens' Initiative. This vision was not equally shared with other organizations, neither within all trade unions. Therefore, the recognition of the human right to water offered a pathway to bring different organizations together in a struggle against privatization. In other words, anti-privatization was disguised as a campaign to implement

[21] Erwin Pelzig in his show on ZDF, 22 January 2013: https://www.youtube.com/watch?v=sTYNFymL-3s

this human right in European policies. The Right2Water campaign was not a movement when it officially started in April 2012. It was a coalition of organizations sharing a common goal: bringing the water issue to the European agenda, but it turned into a movement of movements. The Right2Water movement is an example of a transnational movement that arose from the coalition that united the trade unions, environmental, anti-poverty, public health and women's organizations, with many other groups of people and water activists across countries and across sectors. By bridging nearly 250 different groups it could create synergies but also risked conflicts and trade-offs (Daphi et al., 2022).

The movement called on people to take a simple action: "Sign the ECI!" A call from Brussels did not move much in the European society in the first months of the campaign. The movement could not be orchestrated top-down, it had to be built up locally, which happened very visibly in Germany. There, the national and local member organizations of the coalition worked together on a plan how to mobilize one million citizens. This groundwork paid out later. The Right2Water movement started to grow after the mentioned, unforeseen media attention in Germany. In a period of four months the number of signatures rose from 100.000 to over a million and the threshold was surpassed in seven countries. In the last four months of campaigning Right2Water consolidated and reached 1,9 million signatures while passing the threshold in 13 countries (van den Berge et al., 2018). The fact that it grew so fast can only be attributed to having local basis combined with grassrooting vectors. The movement could not have risen so quickly without the use of social media, that was still something quite new in 2012. It helped people to connect across borders.

Operations were coordinated from Brussels, but took place at different scales and places in all European countries. The European political target was the European Commission, but actions only increased when people could make the connection between the European political arena and the local water field. In Greece this was very obvious since the European Commission formed part of the Troika that imposed privatization of Greek water companies upon the national government as a condition for bailout. In Spain it was the same austerity measures that caused *"indignados"* to rise side by side with water activists recognizing public water services as vital frontier (Muehlebach, 2023). Concern about the future of local water services formed the trigger to act. Privatization was felt as a real threat. This stands in contrast to the silence in the Netherlands, although the issue reached the Dutch TV programme "Nieuwsuur" (NOS, 2013).[22] Questions about how the Dutch government regarded the Concessions Directive were avoided by the minister and the impression was given that EU law would not affect the Dutch water law (NOS, 2013). In fact, the Dutch government and water companies were virtually withdrawing behind their dikes, as if Europe could not touch them and they could think that they were safe, ignoring the simple fact that EU law surpasses national law.

Right2Water aimed to change European water policies. The movement took action when and where ever it was possible and supported during the year that it had to achieve one million signatures. Depending on local organizational capacities these actions reached a wider or

[22] Nieuwsuur - Drinkwater in de Etalage 15-02-2013 Deel 1 (drinking water for sale 15-02-2013 part 1 https://www.youtube.com/watch?v=mJUkCzE5rqE

smaller scale. Actions were promoted across the entire European Union but took place in countries where people felt a sense of urgency to act against privatization of water services. In Spain these actions took place at many different scales and spaces as the movement found fertile ground and could benefit from many networks. In Greece actions were limited and targeted to Thessaloniki as a city where a movement was built locally that had set a local aim to hold a referendum against the privatization of the Thessaloniki water company. In the Netherlands no movement came about because the aim did not resonate with people on the ground. Nor was an organization capable of raising broad awareness or creating a movement for public water as the idea prevailed that water was firmly in public hands.

The movement could not have come about without the starting and continuous supporting efforts from EPSU, but its growth followed a number of contingencies that were out of the hands of any organization in the alliance. Right2Water can be characterized as a global justice movement as it qualifies the features by Cumbers et al. (2008). However, the Right2Water movement was above all a movement of movements. It had different faces and appearances in different countries. Moreover, other conditions played an important role such as aim, distribution of actions and scale, identifiers given by Dufour (2021). The movement's European aim differed from national and local aims. In Europe it was to halt liberalization and privatization of water services. In Greece it was to stop the forced sale of the water companies, while in Spain the aim was to democratize water governance. In the Netherlands the lacking of an aim might have been a factor that impeded the rise of a movement. Actions and scale of protests followed from aims that were set locally (see also Dupuits et al., 2020). There was a continuous interaction between the local, national and supra-national movements (cf. Swyngedouw, 2004b). The collection of signatures in Europe was a sign of the scale of protests against the Concessions Directive, but also a sign of protest against local privatization plans. As such the frameworks of Cumbers and Dufour are complementary and help explain the actions and drivers of the movement. The movement successfully adapted to local circumstances and context in order to synergize between levels and scale. This way it managed to unite diversity and take local issues to the European level while bringing the European issue to local and national levels. Adaptation is however a strategy that inherently contains trade-offs. Local interests are often different from the national or international interests. Compromises needed to be made to keep the movement together.

The European case shows how the movement gained support in austerity hit countries while it did not gain support in countries that were relatively well-off and where national governments could bring a discourse that masked market induced injustices and ignored a water privatization problem. This appeared to be in contrast to the initial expectations: solidarity support was expected from the "well-off" countries and citizens, whereas no support for the right to water was expected from the "suffering" countries.

Altogether, the struggle of Right2Water against privatization and profit-making is a struggle against capitalism. The European Union and its institutions are based on a neoliberal vision of Europe as a market and on a discourse that promotes competition and accumulation. Water is an exponent of how life cannot be subordinated to market functioning and how we are all equally in need of water. Right2Water linked European water policies and governance to

democratic and participatory decision-making processes. The movement showed how public and democratic water management and control are indispensable to achieve a socially more just society.

Focusing the struggle against commodification of water led to less attention to the goal of extending global efforts to achieve universal access to water and generated frictions with some organizations with a charity background. Just like the human right to water is interpreted by some as a matter of "win-win" when joining public and private water provision, some charity organizations also tend to cooperate with private companies to increase water supply for all and allow profit making as a goal in water provision (see e.g. Rudebeck, 2019). This ignores power asymmetries between corporations and citizens or local government, issues that are crucial to acknowledge and to combat, if equal and fair access to water is to be achieved. Right2Water took a stance against the power asymmetries in European water policy by challenging the market approach that consolidates these power asymmetries and thus consolidates injustices.

6.2.2 The human right to water as a policy-activist tool

b. *How and why has the Right2Water movement used the human right to water as a tool in the European struggle against privatization of water services and for water justice?*

The human right to water had become widely known in Europe thanks to the Right2Water movement. Danger and adverse effects of water privatization had also become known among a broad European public. With regards to awareness raising Right2Water had a huge impact in Europe. Many people participated in the consultation for revision of the Drinking Water Directive (European Commission, 2018a). This success attributed to Right2Water can also be considered as a success for the European Commission. It legitimizes EC policy that uses Right2Water to claim that it has listened to European citizens and that it has given an opportunity to citizens to participate in EU water policy; the same reasoning that the Commission used in its response in 2014. Participation increased but policy did not significantly change. The power structures had remained intact and the European case shows that participatory politics can reinforce power relations (Wilson et al., 2019).

Right2Water made important steps in influencing EU water policies. The European Commission attributed the recast drinking water directive to Right2Water (European Commission, 2018a). The Commission also accepted and subscribed to the fact that "water is a public good, not a commodity" (European Commission, 2013; European Parliament, 2015). Right2water moved from the individualized human right to drinking water to the public (common) good of water resources and water services. Amongst others, because of the claims and actions of this broad, multi-actor and multi-scale movement, the European Commission is slowly changing discourse on water services provision from its market-orientation towards a more people-oriented discourse. Forced by citizens' alliances policy makers acknowledged that quality water services for all EU inhabitants are a matter of justice, not of markets. In terms of water justice this is an important achievement.

After 2014 the coalition fell apart and EPSU remained as largest organization to keep the Right2Water movement alive. But though structures may fade, social movements' ideas,

memories, lessons, strategies etcetera, never disappear. For instance, EPSU lent the Right2Water name to the Irish movement that in 2015 stood up to fight privatization of the Irish water supply. The successful campaign in Ireland could build on the experience of and benefit from support of the European movement (Bieler, 2021; Moore, 2023; Muehlebach, 2023). The European movement had set a name that resonated more often, later around the world. The political impact on the revised Drinking Water Directive, as a result of the public consultation, can be argued, the Right2Water response was simple: "the right to water is still not implemented" (EPSU, 2018).

The Right2Water movement used the concept of the human right to water to exclude corporations from the provision of water services and to keep or reinstall it as a service to be provided exclusively by public companies or authorities. The human right to water was framed as anti-market policy tool: "water is a public good, not a commodity!" The European Commission recognized that "water is a public good" but did not speak out about whether it is or can be a commodity (European Commission, 2014). It continued in its market logics calling on citizens to use tap water instead of plastic-bottled water to save household money (European Commission, 2018b), it did not impose any obligation on corporations.

My research confirms the limitations of the usefulness of the concept of the human right to water and sanitation in water justice struggles (Bakker, 2010; Harris et al., 2015; Dupuits et al., 2020). It contributes to awareness raising and can draw attention to inequalities in water services and problems related to privatization (e.g. Sultana and Loftus, 2015; Heller, 2020). However, it does not help to change power structures, which is necessary to achieve sustainable and political change (e.g. Swyngedouw, 2003; Boelens, 2014; Bieler, 2017). Discourse is part and parcel of (in)justice as was clearly exposed by the Right2Water movement. The human rights discourse has shown its ambivalence as it is being used equally as tool for corporations stressing the individual right for consumers and, on the other hand, as a tool for the Right2Water movement stressing the collective right of water as a public good. As long as the European Commission insists on its discourse that water services can be provided via a market it will maintain market-induced injustices. This is in accordance with the findings of Valin and Huitema who found in their EU water policy studies that *"discursive strategies of legal framing are used to persuade stakeholders to accept minimal changes to the current legal framework"* (Valin and Huitema, 2024, 14). This appeared to be the case with the European Commission response to Right2Water in 2014 (European Commission, 2014) as well as with the recast Drinking Water Directive in 2018. Valin and Huitema argue that *"a participatory and reflexive approach of EU water policy cannot take place if conflicts keep being avoided and all possibility of alternative seeking or systemic change is kept out of policy revision"* (Valin and Huitema, 2024, 14).

Keeping water out of the scope of the Concessions Directive (European Commission, 2011a) was an impressive result of the Right2Water movement. However, in the eyes of the movement it was not enough to permanently stop liberalization and privatization efforts. The movement asked for legally binding measures. These are an effective way to enforce human rights obligations on corporations (Bernaz, 2021). Legally binding measures would, according

to the movement that had the Dutch water law in mind, impede corporations to exercise their power over local municipalities. This power imbalance is problematic (Heller, 2020).

The strength of the European water movement lies most in its awareness raising and mobilizing capacities. Its impact has proven to be greatest where people were set in motion and called for policy change. A social movement does not necessarily lead to policy change but on the other hand: without movement there would have been no policy change. The results of Right2Water are a clear indicator. In Germany all political parties reacted to the Right2Water as the movement had massive support. In other countries that surpassed the quorum, responses varied from legal changes to awareness raising efforts by government and water authorities (van den Berge et al., 2018). And, as was mentioned, under the banner of Right2Water the Irish movement blocked privatization of water in Ireland two years after the European campaign (Moore, 2018; 2023; Bieler, 2021). Awareness is a precondition for people taking political action. The European Commission used the Right2Water Initiative to claim that it was a success because many people have participated in a European water policy revision and claim that the Commission listened to their concern. This explanation is totally opposite of the Right2Water arguments that the European Commission did not act on a demand of nearly 2 million citizens. However, the movement's message has been well understood by these citizens, and made the European Commission change its discourse by recognizing that water is public good.

In order to achieve long-term and systemic change to a policy system, more than a single policy change what is needed is cultural and political discourse change; this is linked to power relations. Water has shown to be an exponent and representative of society. This has been recognized by scholars stating that water flows uphill towards power and money (Raina, 2002; Swyngedouw, 2007). The European Union is based on a capitalist economic system and power lies within corporations. The Right2Water movement achieved a strong success in mobilizing nearly two million people, but this was not enough to bring a fundamental change in European water policy. The recognition of water as a public good by the European Commission was however felt as an important defeat by the private water corporations. They showed their ugly face after water services were exempted from the European Concessions Directive, trying to downplay the Right2Water movement as "being fuelled by German lobbies" (Aquafed, 2013).

The global water justice struggle continues and so it does in Europe. Altogether, the Right2Water movement fuelled the struggle that was already going on in the nineties of the last century against World Bank and IMF promoted privatization of water in the global South. A turning point was the Cochabamba Water War against privatization, leading to the recognition of the human right to water by the United Nations General Assembly in 2010. European neo-liberal water policies, however, remained dominant and needed (and still need) to be challenged. Right2Water effectively challenged EU water policy in favor of public water services and opened many eyes for public, participative and democratic water governance but it did not change power structures. The threat of privatization therefore remains. The struggle against privatization of water continues in new forms and constellations. The Right2Water movement has gone up in the European Water Movement

and lives on in other movements like “the future is public” (Petitjean and Kishimoto, 2017; Chavez and Steinfort, 2022). Its name continues now in movements as in Serbia and Bosnia Herzegovina (“pravo na vodu”).

6.2.3 To stand up or not to stand up; that’s the question!

c. *How did the movement rise or stumble in the cases of Greece, Spain and the Netherlands and what are the reasons for this?*

The rise of the Right2Water movement was a step beyond awareness raising and depended on more factors, some of which were out of the organizers’ sphere of influence. This is very visible in the contrast between expected high results in the UK, Italy, Germany, and the Netherlands and the outcome with unexpected results in, for example, Germany, Austria, Spain, Greece, Slovakia and Slovenia (van den Berge et al., 2018). The movement rose where and when people were confronted with a problem that they had to respond to and where joining the movement was seen as the right response and appropriate action (figure 6.2).

Figure 6.2 Banner of the Berliner Wassertisch, one of the early supporters of Right2Water, after the disclosure and ending of the concession contract, saying: “Goodbye Veolia”, “Water privatization? No, thanks!” “Water belongs in the hands of citizens!”

The fact that Right2Water had been based on and supported by a broad alliance of trade unions, social movements and NGOs across the whole ‘social factory’ was crucial (Bieler, 2017; van den Berge et al., 2018). Nearly 250 organizations supported the campaign, making it a new multi-scale movement (van den Berge et al., 2018), that also received support from other parts of the world, e.g. from Canada, Nigeria, Argentina. This broad alliance helped for campaigning purposes and showed how different forms of injustice in water were experienced by different groups that could be linked to EU water policy. It was both a weakness and a strength as it combined forces, influence and different motives across countries, but diverging interests also hindered cooperation as each ally had other priorities (see also Dupuits et al., 2020; Vos et al., 2020).

Water debates and action reflects society in social-economic terms but also in cultural, discursive, political and power aspects. The fact that no water movement rose in the Netherlands can be attributed to the political culture of dialogue, trade and compromise described as the "polder model". The political culture is based on avoiding struggle, not taking a stance, and if necessary, "sweeping the issue under the carpet". In Spain and in Greece a water movement rose as answer to the threat of commodification and privatization. These countries have more of a culture and a history of struggle and fighting injustices and power inequalities. Yiorgos Archontopoulos referred to Greece's history in preparations of the referendum and the choice for "OXI"; "NO" to privatization instead of the "YES" to public water as in the Italian water referendum (Archontopoulos, 2016).

In Greece the water company of Thessaloniki was under threat of a forced privatization. Not because it was malfunctioning, but simply because Greece could not pay off its debts. In the Spring of 2011, Thessaloniki's *"indignados"* movement led a mass mobilization when over half a million people took to the streets to defy austerity and demand democracy, by opposing the push for privatization. The water workers of EYATH and a group of citizens set up the 'Initiative 136' (K136) to get the water company into the hands of the people. K136 proposed a social management through local-level cooperatives. The idea of K136 was that every water user would buy a non-transferable share. If one divides the estimated value of EYATH by the number of the users, the result would be the symbolic number of 136 euros.

Fighting for the same cause, these and other groups set up 'SOSteToNero' (SOS for water) and made the link between the European Right2Water movement and the fight against privatization of the water companies in Greece. They emphasized the importance of this struggle being part of a wider European movement (Bieler and Jordan, 2018). An important moment was the referendum that the Greek movement organized to prevent the privatization of the water company EYATH in Thessaloniki in 2014. Right2Water campaigners supported Greek activists as observers. The referendum resulted in an overwhelming 98 percent vote against water privatization. Theodoros Karyotis, one of the founders of K136, said about his experiences with the referendum on the privatization of the public water service: "*It was an empowering moment, where Thessalonikians felt that they have recovered a bit of the dignity taken away from them in four years of austerity and dispossession"* (Karyotis, 2014).

In Spain the European Right2Water campaign coincided and merged with anti-austerity protests of "*indignados*" and supported growth of a water movement in Spain. The *Red Agua Publica* (RAP) was formed that made a link to the indignados and when the Right2Water initiative was transferred to Spain it encountered a coalition of grassroots organizations that had identified water already as battle ground of commodification vs commoning. The fight against privatization of water has been going on for over the past two decades. In Spain the water movement already had Citizen Water Networks at local levels in place. The Spanish movement shifted the debate in many cities and regions from privatization to remunicipalization of water services and has become a leading global voice for democratization of water governance and management. With the many examples of remunicipalization and citizens observatories, the case of Spain shows the potential for a

flourishing democratic (water) culture and public water future that ensures quality water for all in a socially and environmentally just services provision, taking into account the needs of marginalized communities and future generations.

In the Netherlands no movement arose from Right2Water. This is peculiar and a contrasting case to Spain or Greece. Privatization of water companies is forbidden by the Dutch water law (Pronk, 2002). Moreover, Dutch municipal and provincial water utilities and water authorities ("waterschappen") are a presumed example of democratic water governance. The expectation of gaining support for the Right2Water campaign were high, since much was to be lost by privatization of water services. This support did not turn out. Although the Right2Water campaign gained enough signatures to surpass the quorum for the Netherlands the support was relatively low: 112% of the quorum compared to 164% of the quorum in Spain, 210% of the quorum in Greece up to 240% in Belgium, 450% in Austria and a smashing result of over 1500% of the quorum in Germany. The meagre result of the Right2Water campaign can be attributed to the absence of a social movement for water in the Netherlands. The European campaign and actions did not induce the start of a local movement. The water companies, by words of Piet Jonker, praised former minister Pronk who had a vision to safeguard water services against greedy corporations with his water law. Satoko Kishimoto, water activist in the Netherlands, also witnessed that people did not feel a threat to their water services and consequently did not feel a need to stand up. The fact that a threat was clearly felt in neighbouring countries did not motivate people in the Netherlands to join the European movement. The dominant discourse in the Netherlands showed a striking similarity with the European Commission language. Supporters of the Right2Water movement were unable to tackle this discourse or find local ground, grassrooting vectors, aim and solidarity to give rise to a water movement.

6.2.4 Reciprocity and trade-offs

d. *How did local or national branches and actions of the movement in these countries reinforce the global movement or hamper its supra-national levels, and vice-versa?*

The battle against the Troika as it was seen by Greek water activists was a case that the Right2Water movement could identify with and connect to in its challenging of EU water policy. "Where was the supposed EU neutrality towards privatization in its policy towards Greece?", was the argument that could be used explicitly against the European Commission to expose the reality of a privatization threat in Europe. Likewise, the activists in Greece found a voice in Brussels that was on their side and supported the ECI as it would strengthen their case. Mutual reinforcement was the result of this reciprocity, culminating in the overwhelming result of the referendum in Thessaloniki.

Local water movements in Spain joined forces with the anti-austerity movement and stood up to occupy Spanish squares. Together they helped the European Right2Water movement to grow in Spain and reach an impressive number of signatures (20minutos, 2013). The result came at a moment that many people in Spain found they were crushed by EC imposed austerity measures causing unemployment to rise to a peak (Uxó et al., 2016; Antelo et al., 2017). The movements made the headlines in newspaper El País (Limon, 2013a, 2013b). A

common goal was found in water services as reason for the Spanish movements to converge. Spanish trade unions that campaigned in first instance against austerity became part of the public water movement. The strength of the Spanish movement was the democratic structure and being locally grounded. It managed to change discourse in Spain; from the commodification *("mercantilización")* and privatization that the country had experienced, towards *"remunicipalización"* of water services as a way to implement the human right to water. Reciprocity and exchange of knowledge and experience from local to European level and back empowered the movements at both levels.

At the end of the campaign, social movement struggles for water have continued in Greece and Spain at the local level, just as the European struggle continues. In Greece the struggle stresses the danger that also public companies still carry the risk that water can be commercialized under neo-liberal water governance. In Spain the struggle shows democratic potential of remunicipalizing water services that increases public participation in governance and decision making and increases democratic control over water (cf. Cumbers and Paul, 2022). The Spanish movements succeeded in many places, slowly but surely, in shifting power from corporations to municipalities.

In the Netherlands over 20.000 people supported the ECI campaign of Right2Water (van den Berge et al., 2018). This was enough to surpass the quorum and formally it can be considered as a successful contribution to the European Citizens' Initiative. However, 20.000 individual supporters were not enough to induce a movement. Local actions were taking place in isolation without backing, cooperation or promotion from the alliance partners, while actions instigated by the Brussels' coordination team were not extended in scale and place in the Netherlands. Inaction hampered growth of the Right2Water movement, which was compensated by stronger mobilizations in countries where it was not expected.

By limiting its scope of actions to water services provision the Right2Water movement lost some support of local groups that focused on environmental aspects such as protection of water resources or quality of surface waters. Although there is a clear relationship between drinking water supply and water resources management, the message that privatization and market logics were a threat to public water services was in itself difficult enough to bring to a wide audience. The same can be said about the fragmented connection to, and alignment with, other South-South or South-North water justice networks that incorporate more diverse water justice dimensions in their struggles, such as human/non-human water relationships, recognition of multiple and alternative water cultures and cosmovisions, or water/climate justice claims. These losses were accepted as being inherent to social movements (Dufour, 2021). Complicating the message might paralyze instead of mobilize people.

A second trade-off was keeping the focus of the campaign on public interest and not including workers interest. For some trade unions this was out of their daily routine and comfort zone. Several unions expressed support to the Right2Water movement in words but not in action. This might be an explanation of the lack of mobilization in France. Trade unions were divided and often inexperienced in cooperating with NGOs and water movements. Stressing public interest and human rights meant that trade unions had to compromise on workers' interests and workers' rights.

6.3 Reflection on the conceptual framework

Putting the entwined frameworks of Cumbers et al. (2008) and Dufour (2021) in a table form gives a general overview of foundations, goals, strategies and actions of the European Right2Water movement (table 2).

Table 2: Criteria to evaluate Social Justice Movements based on Cumbers et al. (2008) and Dufour (2021)

Criteria for Social Movement	**Europe**	**Greece**	**Spain**	**Netherlands**
1. Locally grounded	250 organisations supported Right2Water; mainly trade unions, highly diverse	Uniting local organisations and citizens in SOSteToNero	CWNs and indignados are converging their struggles in Red Agua Publica (RAP)	No movement arose locally
2. Collective vision	Water is a public good, not a commodity is understood as anti-privatization	Water is life; saving water from privatization and sale-off	Water is a public good and must be governed democratically	Water provision is protected by law; no vision developed
3. Solidarity	Where present Right2Water is very successful; where absent no resonance	Strong sense of local and international solidarity	Strong sense of local and international solidarity	No signs of local and international solidarity
4. Grassrooting vectors	Use of social media to feed local movements' growth	On the ground connection between people and organizations to campaign	On the ground connection between people, organizations and movements	No visible connections made between people or organizations
5. Political action	Focused on European Commission and Parliament	Action towards local and national governments and towards Troika	Action towards local and national governments and EU	No visible political action
6. Operational logic	The network is stimulated and fed by the coalition in Brussels, with EPSU as coordination centre but operations are carried out at local/national level	Coalition and movement building, led by EYATH workers' union	Movement of movements set up and united in Red Agua Publica. Democratic principles guide the movement	No movement, Individual actions of organizations and people, operating from institutionally embedded water democracies and negotiation platforms
7. Contested social and power relations	Many supporting organizations build and strengthen relations within the movement. EPSU was the driving	Social relations are strengthened in the Thessaloniki community. Workers' union remains the driving	Social relations amplified between movements. Democratic principles guide the movement and	Relations between organizations remained distant and no movement was formed. No power relation is

	force in Right2Water, to challenge European Commission power	force in SOSteToNero, to challenge the Troika and national government	prevent, until now, internal power conflicts. Challenging European Commission, government and corporate power	contested. Trust and inaction based on "polder model"
8. Aim (that is set)	Human right to water must be implemented in EU law and stop liberalization and privatization	Prevent privatization and sale of EYATH	Water must remain or return in public hands and be democratically governed	No movement; no political aim was set since *"water services would remain as they were", "no problem"*
9. Distribution of action	Brussels based team encourages local members to take action by developing ideas and materials; actions take place at time and place where local activists stand up for the movement	Actions take place in the Thessaloniki region by members of the SOSteToNero water movement	Actions take place across Spain by local networks	No collective action but individual people and organizations collect signatures
10. Scale of protest	EU wide: signature collection as means of protest, followed by addressing the EC and EP.	Local: Thessaloniki referendum and follow up to stop privatization of water companies in Greece	National: protests and manifestations in various cities and regions	No movement; no protests visible at any scale

The frameworks of Cumbers and Dufour are complementary and help to understand strengths and weaknesses, actions and objectives of a movement and give an indication of conditions that need to be met in order for a social movement to rise and have an impact. The case studies reveal that lacking of one of these conditions will weaken or even impede the rise, actions and effectiveness of the movement. The dimensions that Dufour adds are indispensable to further our understanding of a global justice movement as characterized by Cumbers.

The interconnection and interdependence between the global and the local are a recurrent issue in both the frameworks and an interesting aspect to consider in the Right2Water movement. Cumbers et al. (2008) state that "the global is enacted through localized practices of movements within" (Cumbers et al., 2008, 185) and "the global is invoked in struggles that take place locally" (Cumbers et al., 2008, 194). Dufour (2021) speaks of a "glocal" scale of protest meaning that locally grounded actors aim for global change (Dufour, 2021, 234). This is confirmed by other studies that focus on the entanglement of water justice, scalar politics and social movements (e.g., Swyngedouw 2004b; Dupuits et al., 2020; Vos et al., 2020; Shah et al., 2021; Boelens et al., 2023; Hommes et al., 2023).

The entwined framework shows how the European Right2Water movement connects to and depends on local movements and can be considered as “glocal”. The case studies reveal presence and absence of characteristics that explain incipience, growth, successes and pitfalls. This is very well visible in the case of the Netherlands; no grassrooting vectors can be identified that connected people and organizations and no political action was taken as no collective vision was developed and no operational logic to instigate a movement. Nor were signs of solidarity visible. The people that signed the ECI have done this to express solidarity, but no alliance and deeper interaction was developed.

The cases of Spain and Thessaloniki stand in contrast to the Netherlands. People take the streets, debate and discuss how to act and define their collective aims to combat the injustice of privatization of their common and public water services. They expressed solidarity with all Europeans, people in other countries facing the same threat and future generations. They continued their struggle after the European Commission had turned down the demands made by the Right2Water movement. It proves that international solidarity is a key factor for global justice movements.

Global justice movements challenge neoliberal domination and fight for change towards justice in a contested field. Water struggles are power struggles and control over water is control over society (Harris, 2012; Swyngedouw, 2015; Swyngedouw and Boelens, 2018; Yates and Harris, 2018; Boelens et al., 2023). Demanding a shift of control over water from private and corporate control to public and democratic control means fighting the power. The concepts of Cumbers and Dufour stress power relations within movements, but fail to emphasize that, and examine how power structures outside of the movement need to be contested. This becomes very clear from the European case. The Right2Water movement had to oppose powerful national and multinational actors that it encountered.

The combined framework does not give a complete understanding of the Right2Water movement. Movements change over place and time and flexibility to adapt to a different context is an important element for a social movement to rise that, however, has a downside in the consequent need of trade-offs that can split part of the movement. (Continuous) dialogue is the second missing criterion in the frameworks. Through dialogue the movements in Spain and Greece maintained their legitimacy in relation to the people that form the movement; it enabled to adapt vision, strategy, aims and actions in response to changing circumstances. Dialogue is inherent to a democratic movement. Trade-offs are unavoidable.

Awareness raising was an important element in the Right2Water campaign. It touches the issue of discourse, because awareness can be explained by actors to their own benefit. Discourse is the third missing criterion in the combined framework. Discourse expresses how vision, aims and actions must be interpreted and is part and parcel of social movement struggles as well as of strategies of corporate and political actors. Both the Spanish and the Greek case, as well as the European Right2Water movement show “their truth” in the slogan that was introduced by the Italian Water Movement: “write water, read democracy” (Carrozza and Fantini, 2016). In water services the dominant ideology in society is reflected. The slogan used by Right2Water expresses a similar notion: “Water is public good, not a commodity!” exactly challenging the dominant neoliberal ideology in the European

Commission. In the Netherlands government's discourses reveal its double standards in which water services are a public interest at home, while using water services as field for (promoting) Dutch businesses abroad, putting commercial, economic interests in the first place (e.g. Prime minister Mark Rutte at the World Economic Forum in 2017).[23]

A fourth missing principle is "unity and bridging among the diverse" (see e.g. Schlosberg 2004; Zwarteveen and Boelens, 2014). A global justice movement can be characterized by its capacity to unite a diverse group of people. Diversity increases resilience of a movement and inherently carries trade-offs as different people have different worldviews and distinctive interests. This is shown in the case of Spain, where the movement gained strength in diversification. In the Greek case, the movement fell apart into separate groups after the referendum, because it could no longer unite the diverse ideologies. As also justice and injustices are experienced in diverse ways in different places and by various groups, a movement that struggles for justice will automatically be a diverse group.

This leads me to reflect on the fifth missing dimension in the combined Cumbers-Dufour framework, which is reciprocity. This appears to be a necessary element to hold different movements together as shown in the case of Spain. Reciprocity can be considered as the back of solidarity. Whereas solidarity is a key factor inside a movement, reciprocity is a key in an alliance or movement of movements.

6.4 Reflections on methodology

Doing research was more difficult than I expected. Times had changed since I left Wageningen University (which was in 1990) and I had to learn again how to do academic research. I started with a trip to Thessaloniki to investigate what happened in Greece and especially the Greek movement around SOSteToNero that organized the referendum against privatization of the Thessaloniki water company EYATH. Besides my observations in Thessaloniki and my observations from the time that I spent in EPSU, I did a desk research about the Greek case as the situation in Greece in the years of Right2Water and the referendum in Thessaloniki was well documented.

My second research was the European case. The Covid-19 pandemic had hit hard in Europe and the need for clean water and sanitation facilities could not be more obvious. The link to the pandemic had to be made and investigated to find whether or not marginalized and vulnerable groups would suffer double by a lack of, or poor, water and sanitation services and also become more victim to the Covid-19 pandemic. In this research I could build on my personal experience of coordinating the Right2Water campaign and working in EPSU, using this as my "fieldwork", but my promotors made an appeal to take a more theoretical, academic approach. Also, the journal for which I did the research made high theoretical

[23] Dutch Prime Minister Mark Rutte at the World Economic Forum, Davos, 13 January 2017 https://www.weforum.org/agenda/2017/01/water-shaped-my-countrys-past-it-will-shape-the-future-for-all-of-us/

demands. For this research I did an extensive literature review to deploy the multiple concepts that put the Right2Water movement in a water justice perspective.

Third in line of research was the Dutch case. In the Netherlands no social movement arose from the campaign. This was an unexpected setback for the campaign as well as for myself, being Dutch and knowing the Dutch water sector through my long-time involvement in the Dutch trade union and water sector. While the study object was absent and no debate on water privatization was going on, I had to look for a way how to investigate this exceptional phenomenon. Because I knew people inside in the water industry and water activists, I chose to interview two experts for this chapter and conducted two in-depth interviews. This appeared to be very helpful as the two protagonists could provide detailed inside information that explained the absence of a movement in the Netherlands.

The last case during my research was the Spanish one. In my view this is also the most interesting case since the water movement in Spain was still very active in 2023 and appeared to have a history already before Right2Water. Next to my experiences in previous years as campaign coordinator, in two visits to water conferences in Spain I learned about the struggles that people have encountered since Franco times, being challenged by authoritarian and monopoly water management. Remunicipalizacion is a big issue in Spain and to understand how discourses have evolved, I used the Lexis Uni tool to do a bibliometric analysis and a data mining exercise.

Limiting the research to four cases was a necessary step, but in studying each case questions arose about how the movement developed and operated in countries that were out of my scope. The same counted for doing interviews. Interviews give an in-depth insider view of a social struggle, but restricts studying the collective actions that best can be analyzed by literature research and by engaging in participatory action research.

Combining empirical research with theory and literature research was a challenge for me. I benefitted from my experience in EPSU and the Right2Water movement, but I lacked theoretical background having been out of the academic field for so many years. Doing case studies was the right choice for me. I have done qualitative analyses as well as one quantitative, statistical analysis and I noticed that doing a qualitative study suits me most. The research could have benefitted from more semi-structured interviews to be closer to local actors but more literature study would have been equally important, given that social movements have been studied from various angles in different places and circumstances. During my research many new questions have arisen about political and cultural aspects of water services, about links with other water and social struggles around the globe and about historical, cultural and political aspects of Right2Water and other social movements. In the end I think this thesis strikes a balance between theory and practice.

6.5 Reflections on positionality

In 2015, a year after the disappointing response of the European Commission to the ECI, I left EPSU. One reason was that it was too hard to have a working life in Brussels during the week and a social-family life in Amsterdam in the weekends. I had done this for five years, but the combination now felt unsustainable with two growing up kids at home. What also contributed to my decision was that I had lost much of the energy that I felt being part of a global movement. After the Commission's response to the Right2Water Initiative I had to return to my basic trade union job. Although this was very satisfying, I couldn't motivate myself as much for worker's rights as I did for human rights. I felt more affinity with the global justice movement than with the trade union movement; more of a global social justice activist than a trade union activist. I took time to reflect on my career. In 2016 I presented the Right2Water campaign at the PE-3C conference in Wageningen where I heard how the Right2Water movement inspired people and organizations struggling for water in Latin America. Later that year I was asked by my old-time friend professor Rutgerd Boelens if I could do a presentation at a 2-days gathering in the Vatican for which he was invited. Together we strategically reasoned that, although we did not share their religious beliefs, the Pope's worldwide grassroots and community-based network was enormous and to be mobilized against global privatization of water services. I accompanied him to the Vatican and presented the Right2Water experience to a wide range of water academics and professionals. There I met with the Pope who joined the conference and I contributed to the statement for World Water Day 2017, which was distributed across the world. The political effect and impact proved as we had estimated.

After my presentation in the Vatican I had several discussions with academics present and with Rutgerd, and here the idea was born to further investigate the Right2Water movement and to do a PhD on this issue. The story of Right2Water merits to be told and safeguarded. This thesis is the result. I could not do 27 case studies including all EU member states, neither do 14 studies of all countries where the ECI was considered successful. The choice for three national case studies and one overall European study was made in 2019 when I had begun to work as a part-time teacher and wanted to dedicate time to the Water Justice movement. Five years after the end of the European Citizens' Initiative I thought that it would be interesting and good to look back as well as that I felt that I had distanced myself from both the trade union movement and the water movement. I wanted to become an activist researcher.

The main goal of my research is to understand strategies, actions and outcomes of the European Right2Water movement. The justice movement frameworks that I have used, have been a helpful instrument to focus on the movement and not to be distracted to legal, social, cultural, economic or political aspects of the human right to water. The latter is an important element in my research but has proven to be a means, not a goal, in water struggles in Europe. During the research the frameworks also gave me handles to reflect on what happened in other countries that I did not investigate, but that passed my mind, such as the UK where Right2Water did not succeed, or the mega success in Germany. It might be valuable to do

further research since all EU countries have their own problems, policies and conflicts around water. In 2019 Serbian water activists set up “Pravo da Vodu” (Right to Water), to address water problems in Serbia, that indicates that the ideas, discourse and achievements of Right2Water are still very much alive. The study of values, synergies and conflicts in transnational and trans sectoral cooperation within movements (Daphi et al., 2022) helped me to analyze the cross-border aspects of the movements. With these frameworks I combined social theories with my empirical findings and put the Right2Water movement in temporal and spatial perspective.

I enjoyed my first case study – the case of Thessaloniki – very much. Not only because of the heart-warming welcome I received in Thessaloniki from water activists, but also because of the positive impact that Right2Water had had on the ground in Thessaloniki and my chance to do empirical research. Being among water activists again gave me the energy to conduct a research.

The European study, however, made me doubt whether or not I possessed the qualities of a PhD researcher and I almost aborted my PhD. Diving into literature about water governance and struggles I felt I was drowning in what already had been investigated and the many theories that existed. Moreover, I realized that water justice comprised so much more than opposing privatization or a legal right to water. What on earth could I contribute and add to this huge amount of knowledge? Patience, guidance and encouragement of my promotors kept me going on and helped me to finish this chapter.

The outcome of my research in The Netherlands was a sobering experience for me. My expectation was that basic knowledge of this special situation was widespread and that people, either being proud or just happy with the excellent quality water provision and water management by the public water authorities, would support an initiative that promotes this type of public service provision in Europe. The absence of a directly felt problem (“water privatization is not a problem in the Netherlands”) entailed absence of solidarity as well as consciousness of what was at stake. People in the Netherlands did not collectively support the ECI and did not stand up for the endangered rights of people elsewhere in Europe.

In Spain I saw how people organized in different constellations but always considering social relations, democratic and solidarity principles in standing up for their collective rights and for a participatory governance of water services and water resources. This was an inspiring case to investigate for me as I could recognize their thoughts and see how people shared the visions and strategies that I deployed when I was an activist in the Right2Water and the trade union movement.

After elaborating the last case study, I felt I had gained a lot of knowledge and scientific capacities. At the same time, I found and still find it difficult to position myself as a researcher. “Who am I?” is the question that I posed at the beginning of this thesis in Chapter 1 and that I seek to answer here. As I have not only been doing research but also have been teaching at secondary schools, my personal development cannot be exclusively related to my PhD. Pupils at school are natural masters in putting a mirror in your face. In fact, I had to reflect every day at school in the classroom. “Why do I have to learn?”, was a question posed many times by

pupils and I had to turn that question to “why, what and how do I want to teach them?” It made me realize that you learn every single day and that I wanted to learn every day. Not only because, in my opinion, everything you learn is useful, although you might not know why, how or when, but also because learning makes you (me for sure) a better human being. Knowing and understanding more strengthens your social relationship with your (human and natural) environment.

I think this is the most rewarding part of my PhD. Having gained this knowledge and experience I feel even more committed to contribute to the global water justice movement and I hope this thesis is a contribution and support to all water justice activists in their struggles around the world.

6.6 Conclusions

This dissertation has studied the question of *“How can we understand the rise, objectives, strategies and actions of Europe’s Right2Water movement and its positioning vis-à-vis the diversity of population groups that lack safe, equitable and affordable water services, in relation to the ambivalent ‘human right to water and sanitation’ and Europe’s water policies?”.* The Right2Water movement has given impetus to debates and a policy shift with regards to the issue of privatization of water services. It has amplified the struggle for access to affordable, clean and safe water and sanitation services, that is mostly linked to the global South. Right2Water exposed that water injustices exist also in Europe, and stood up as a new global justice movement. Successes of the European Right2Water movement were product of contingencies and dependent on presence of a strong local or national basis and solidarity. It set a clear aim, developed strategies and actions to achieve political change, based on a collective vision and it had an operational logic.

After its result, the initial Right2Water coalition fell apart but its struggle continues in new movements and alliances. Counting on solidarity as a reason for support showed a pitfall for a social movement. Solidarity starts from recognition of a shared problem and identification of a common interest in redistribution and representation and is a key component for a movement to arise and to remain intact.

The demand to implement “the human right to water and sanitation” proved to be no more than instrumental in a social struggle. Right2Water successfully used it in a strategic way as an anti-privatization tool; its message that the human right to water is incompatible with privatization of water services was well understood and shared among the alliance partners. The outcome of the ECI shows that discourse is part and parcel of the struggle. Using the human right to water helped to influence water policies but was insufficient as a tool to shift power balances. In order to achieve long-term and systemic change more is needed in terms of social, economic, cultural, political and discourse change, that are all linked to power relations.

Social movements arise when their aim is a recognized problem and their actions are recognized as feasible ways to solve the problem. A social justice movement has to identify with locally experienced injustices in order to rise, to maintain legitimacy and to stay connected. Both the case of Thessaloniki and the case of Spain show how uniting diversity and solidarity are important prerequisites for movements to rise and grow, but this also depends on contingencies that can give people an aim to fight for and a push to stand up. Austerity measures in Greece and Spain made different movements join forces. In the Netherlands people did not feel a need to stand up, wishfully thinking that European policy measures would not touch them and apparently lacking solidarity to stand with other people in Europe.

The Right2Water movement empowered local movements and local movements empowered the European movement. Reciprocity showed to be fruitful in the cases of Greece and Spain that both served the European movement to put pressure on the European Commission. The Right2Water movement supported the local movements to achieve local policy change by showing solidarity and exchanging knowledge and experience from other countries. Lack of movement in the Netherlands hampered the European struggle, that fortunately was compensated by movements in other countries. Struggles must continue if justice is to be achieved. The best example of this continuation and what can be achieved is the case of Spain, where the movement has taken the struggle a step further, beyond anti-privatization, towards democratization of water services (figure 6.3). This is a promising development that can serve as an example to water justice movements worldwide. Democracy is an answer to combat state-centric and neoliberalism-induced injustices.

The objectives, strategies and actions of the Right2Water movement were derived from the political landscape in which the movement arose. Its challenges, demands and struggles can be described as a battle between the public and the private, and between democracy and neo-liberalism. Locally, nationally and at European level different social, cultural, legal and economic circumstances and contingencies all played a role in how the movement rose or stumbled. Actions were an outcome of strategic debate and discussion, adapted to local context and following a path of trial and error, experimenting in the European political arena. Right2Water could build on the experience of the Italian Water Movement and extended anti-privatization struggles to the European level.

Figure 6.3 First social agreement for water was established in Zaragoza, 7 May 2014, the prelude to the Social Pact in 2016 (picture RAP-Aragón).

By connecting local and national struggles to EU policies it created an EU-wide movement that people in different places and spaces could identify with. By emphasizing that markets and corporations cannot implement or guarantee human rights and that privatization is a risk that threatens anyone's drinking water supply the movement gained wide support and achieved a change in EU water policy and discourse, but did not change power asymmetries. The strategy of building a diverse alliance proved to be a good choice in the European campaign as well as in countries where divergent groups managed to cooperate and converged their interests to fight in solidarity for a common goal.

6.7 Recommendations for further research

Water struggles form an area that merits more and deeper investigation by the academic world and especially in the field of social sciences. Water reflects society in many ways but dominant discourse too often reduces water to a natural resource that can be either exploited or needs to be protected or it is reduced to a commodity that can be traded and priced. Too little, water is contemplated in a holistic manner as life giving, reflecting society and relating people to their social, natural, cultural and political environment. Water justice movements often depart from this holistic picture that conflicts with the reductionism in bureaucratic-

centralist and/or neo-liberal water governance that is dominant in Europe. The European Water Movement, at this moment active in manifold places in the region, can learn from struggles in other parts of the world and vice-versa.

Research on the many, often local, water conflicts that derive from different worldviews can be valuable to justice movements across the globe. More European cases need to be explored, either with regards to the Right2Water movement or with regards to other justice movements to find answers to why no or little political action is taken in particular countries (e.g. UK, Romania) and why in other countries movements do arise (e.g. Slovenia, Slovakia, Serbia).

Interesting would also be to investigate what followed in terms of political or societal change in the longer term. The Italian water movement had a large impact on European water struggles, but where does it stand now in Italy's political configuration? To this end I would highly recommend more research and case studies to be done on Europe's water justice movements.

On the conceptual side I found that discourse, trade-offs, diversity and reciprocity are dimensions that should be taken into account when investigating social movements and struggles. More research in the social sciences that focuses on these themes can contribute to our collective understanding of struggles against injustices in society.

Epilogue. The struggle continues to bring public water back to where it belongs

After I finished my research, I read in the newspapers that Thames Water had paid out billions to its (private equity) shareholders and was facing bankruptcy. "Thames Water is emblematic for the failure of the privatization experiment in the UK with a £14 billion debt accumulated, profits sucked out by private equity shareholders and at the brink of collapse" (The Economist, 2023). After the exposure of water companies discharging illegally untreated sewage into UK rivers, the Daily Mail shouts: "The 'fat cats' at nine water companies who pocketed 'excessive' £13M pay packages in past 12 months – including £2M-a-year boss at debt-ridden Thames Water now teetering on the brink of collapse" and "public outrage over untreated sewage overflows into UK waters" (Daily Mail, 2023). People in the UK are outraged again: companies had made huge profits over the past decades, violated the human right to water and the citizens must pay; now for the costs of cleaning up "poop beaches" and "dead rivers". This 'sewerage scandal' referred to as "making shit social" (Usher, 2023, 109) was brought to the attention of politicians already in 2020 and the UK government came up with a proposal to reduce sewer overflow into public water in 2021 (Usher, 2023), but the situation in 2023 even got worse, companies continued their polluting practices and now claim they have no money to clean up "their shit". The struggle against privatization is hard. Locally people stand up to reclaim

the rivers, but still, no national movement is forthcoming from the public outrage in the UK; the nightmare continues.

In 2023 the UN water conference takes place in New York, co-hosted by the Netherlands. Simultaneously the Peoples Water Forum (PWF) is taking place, organized by water justice movements to challenge the neoliberal approach to water at the UN conference and demand that the human rights to water and sanitation and their understanding as a common good are put at the core of water policies (PWF, 2023). The UN water conference document refers to water as "a global common good" to be protected, but links this to market-based mechanisms, this way concealing market-based injustices (Heller et al., 2023). Moreover, the conference calls for "just water partnerships" to increase global access to water, but these are in fact the same as the public-private partnerships of a decade ago. The discourse has changed but the ideology has remained the same. Water justice movement must stay vigilant to tackle this obfuscating discourse.

In 2023 the city council of Lyon, birthplace of water multinational Suez (as Lyonnais des Eaux), decides to take water services back in municipal hands, instigated by local water activists, and establishes a water users parliament, taking democratic water governance even a step further than the citizens water observatories in Spain. A hopeful sign of awakening in an obscurant world.


WATER
is a Human Right
Thank you
for signing !


water is a public good, not a commodity !

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Summary

This thesis focuses on the struggle for water justice in terms of fair, affordable and universally socialized access to good quality drinking water and sanitation in Europe. The title of the thesis refers to the slogan that was used by the organizers of the European Citizens' Initiative: "Water and sanitation are a human right. Water is a public good, not a commodity!" The dissertation elaborates how this initiative gave rise to a new movement that became known as "Right2Water". Struggles for water are often featured by alliances and campaigns built around and fighting for "the human right to water and sanitation" and often linked to the global South. The recognition of this human right by the United Nations General Assembly in July 2010, was seen as a victory for social movements that had a history of struggling for universal and equitable access to water and sanitation. The resolution was seen as a tool to finally end injustice in water services provision that followed from the trend of water privatization introduced by the Thatcher government in the UK in 1989 that turned water into a commodity. The wave of privatizations of water utilities and takeovers by multinational corporations around the globe often increased inequalities, caused problems of affordability and deterioration of services, as companies tend to put their corporate interests over the public interest of achieving "water for all". The water war in Cochabamba was an example and icon of how disastrous privatization of water turned out for the local population and became a turning point in water services privatizations.

Communities around the world stood up and claimed that "water is life, not for profit", "water belongs to us (the people)" and "water is a common good, not a commodity". A global network of civil society organizations arose around the idea of "reclaiming public water". Public services trade unions became part of the network since they experienced job losses in addition to increasing corporate control and deterioration of this vital and most important public service. The European Federation of Public Service Unions (EPSU) saw – in the recognition of the human right to water and sanitation – a strong argument for its claims to stop further privatization plans of the European Commission.

In 2011 the European Commission introduced a new tool for public participation in European Union policies, which was a "European Citizens' Initiative" (ECI). This tool enables EU-citizens to put an issue on the agenda if they fulfil four criteria: set up a citizens' committee integrating persons of at least seven EU member states; write a proposal that lies within the powers of the European Commission to act; collect at least one million signatures of inhabitants of the EU; and surpass the quorum of signatures required in at least seven EU member states. The trade unions saw – in the ECI – an opportunity to revive their struggle for a more social Europe and against privatization of public services and decided to take up this challenge, which became the start of a new movement.

In April 2012 the European Citizens' Initiative "Right2Water" proposed to implement the human right to water and sanitation in European legislation, as a strategic-political tool to fight privatization. Concretely it demanded the European Union to: guarantee water services provision to all inhabitants; stop liberalization of water services; and increase efforts to

achieve universal global access to water and sanitation. Implementing such water justice notion was and is part of an ongoing socio-political struggle. The Right2Water movement united different groups and organisations and linked local struggles to national and European policies as well as the other way around.

This research examines how the Right2Water movement was shaped and succeeded in challenging EU neoliberal politics and changing political discourse towards water. It scrutinizes its aims to increase awareness of citizens about water services by sparking the debate over privatization and remunicipalization of water services. It follows and seeks to understand the strategies of Right2Water as a European movement, explaining how it had to campaign in 27 countries and to meet with locally different circumstances, different languages, different problems, perceptions and conditions with regards to water supply along with different views on the European Union. The research focuses on how water policy, governance and management varied between countries as well as social and economic policies varied but at the same time were all related to European Union policies. It analyzes how the three demands, mentioned above, that were supposed to be of common interest to all Europeans and expected to gain support in all EU member states, were perceived differently in different countries.

This research puts three cases of the European Right2Water struggle in the spotlights next to an overall case that analyzes how the European Citizens' Initiative "Water and sanitation are a human right! Water is a public good, not a commodity!", that became popularly known as "Right2Water", instigated and formed part of a European struggle for water justice. It shows the interwovenness of water policies and social justice. The main objective of this research is to understand the rise, actions and strategies of the European Right2Water movement. It explores successes and pitfalls of the movement and builds on a large basis of theoretical concepts as it addresses the many aspects of water struggles as social, economic, and political struggles. The research shows that although water struggles in Europe are largely absent in literature, they are not absent in reality and form part of global struggles against water injustices that have often been framed as struggles for the human right to water. The Right2water movement is put in a historical perspective of resistance against privatization of water services.

The dissertation builds on the framework of global justice networked movements by Cumbers et al. (2008) and combines this with the concept of local spaces of protest by Dufour (2021). By doing so the interaction and interwovenness of the different levels – European-national-local – on which the movement operates is analyzed. The Right2Water movement is investigated as a global justice movement by examining the seven key characteristics of networked movements: locally grounded, having a collective vision, based on solidarity, facilitate political action, have 'grassrooting vectors', have a range of different operational logics, and involve contested social and power relations (Cumbers et al., 2008). The study integrates this with the framework of Dufour (2021) that looks at field, space, arena and network and considers three dimensions in which the movement operates: the aim, the distribution of actions (protest, concerted or participation), and the scale of actions (local, national, European).

The Right2Water movement is investigated on the characteristics and dimensions from these concepts focusing on four different cases: Europe, as an overall case, and Greece, Spain and the Netherlands as three country case studies. The movement formally can be considered as having 27 chapters, one for each European Union member state, but it didn't operate in each country. The scope of the research is limited in order to make it a quality in-depth study, rather than a quantitative research. The selection of these cases was made to exemplify the different appearances that the movement had in different countries and to understand objectives, strategies and actions in space and time.

The European case (Chapter 2) was investigated in the midst of the Covid-19 pandemic and exemplifies the interwovenness of different levels. In 2013 the European Citizens' Initiative (ECI) "Right2Water" collected 1.9 million signatures across Europe in a campaign to put the Human Right to Water and Sanitation on the political agenda of the European Union against water privatization. It became the first ever successful ECI and has built a Europe-wide movement. Right2Water sought for Europe's legal enforcement of the Human Right to Water and Sanitation as a strategic-political tool to challenge EU market policies. This chapter examines the ECI from a social movement perspective and uncovers how policies are sometimes hidden behind discourse. The ECI was launched in a period of unrest in the aftermath of what was seen as the financial crisis after the fall of Lehman Brothers' Bank, and tensions within the European Union that according to some politicians had grown too big and too fast. The Union was under threat of falling apart; banks and the European single market had to be rescued and many people suffered from austerity measures that were taken in EU member states.

Liberalizing the economy and treating water and water delivery services as economic goods had been a recurring recipe in the European single market. Privatization of public services, including water, as seen in the UK served as an example for the European Commission that promoted a free market capitalism. This needed to be stopped permanently according to the initiators of Right2Water. Although the European Commission subscribed to the message given by the Right2Water movement that "water is a public good" after the movement had reached well over the required one million statements of support, it did not respond to the movement's demand to enshrine the human right to water in European legislation. Its implementation is still subject to continuing politics and socio-political struggle, which showed growing urgency in times of the Covid-19 pandemic crisis.

The Greek case (Chapter 3) analyzes the interconnections and mutuality between, on the one hand, the "Right2Water" alliance of social organizations, trade unions and water activists in Europe and, on the other hand, the Greek mobilization by trade unions, activists and social organizations against privatization of water companies in Greece at the same time. People in Greece were confronted with austerity measures imposed by the Troika (consisting of the IMF, the European Union and the European Central Bank), as the latter's response to governmental clientelism and elite-driven mismanagement by the Greek government. One of the drastic measures imposed by the Troika was the privatization of public assets. The Greek government was forced to privatize national or local governmental companies and put them

up for sale. This was the case for the water company of Thessaloniki, the second biggest city in Greece.

At this point the European campaigners for Right2Water and the Greek anti-austerity movements found each other in defending the public ownership of water companies. A massive mobilization effort led by employees of water services companies and mutual solidarity support and cooperation between different actors and groups in Greece, led to a success for the European Right2Water campaign. With the European success in mind, the Greek movements united in SOSteToNero organized a referendum in Thessaloniki a year later. In return they received solidarity support from the European Right2Water movement and achieved a huge success in preventing the privatization of the Thessaloniki public water company EYATH.

The Spanish case (Chapter 4) explores how in several cities and regions in Spain there have been fights against privatization of water supply in the past decade. Some cities have decided to re-municipalise water supply and debates about implementing the human right to water and sanitation have been held in many parts of Spain, following the success of the Right2Water European Citizens' Initiative. This chapter examines how the European "Right2Water" movement influenced struggles for access to and control over water in Spain from a political ecology perspective. It analyzes how "Right2Water" fuelled and tilted the debate on privatization and remunicipalization of water services, and what heritage it has left in Spain.

Relationships with and between water movements in Spain – like the *Red Agua Publica* – and relationships with other networks – like the "*indignados"* movement are unfolded and subsequently this chapter explains how water protests converged with austerity protests. In different places these struggles took different shapes. By deploying five case studies (Madrid, Valladolid, Terrassa, Barcelona and Andalucía), this chapter looks at how the human right to water and sanitation framework served as a tool for social and water justice movements. Struggles for water justice in Spain are ongoing and the case study identifies the temporary outcomes of these struggles, and how power balances in Spain's water services provision have shifted in the past decade.

The Dutch case (Chapter 5) explores how and why social activism was lacking in a country that had a lot to lose if European liberalization and privatization plans were converted into legislation. The Dutch water ruling is widely considered as a good system as it prohibits privatization of public water companies as well as profit-making by water companies. The highly regarded Dutch regulation notwithstanding, any EU legislation surpasses national law. In other countries with good functioning public water services, the resistance against privatization of water and the support for Right2Water were high, especially in Germany, Austria and Belgium. Moreover, all over the world water privatization plans are usually met with great resistance. Surprisingly, this level of resistance was absent in the Netherlands with its good functioning public water supply system which, according to the European movement, needed to be safeguarded and even could serve as a model.

This chapter contains interviews with two key actors who have experience in European and in Dutch water policies and legislation as well as in water services provision. The chapter investigates how the right to water is defined, legally decreed and socially interpreted and defended at different levels. It also investigates the apparent paradox with regard to water in the Netherlands, where people seemed committed to and proud of their public water management but did not stand up against a privatization threat. The paradox is explained by the key actors who claim that a sense of urgency was lacking.

In the final chapter (Chapter 6) I draw conclusions and reflect on my findings and the theoretical concept, and on my personal development in the decade between the start of the European Citizens' Initiative, in which I fulfilled a coordinator position, and the finishing of this research. By combining the two frameworks I answer the main research question, "*How can we understand the rise, objectives, strategies and actions of Europe's Right2Water movement and its positioning vis-à-vis the diversity of population groups that lack safe, equitable and affordable water services, in relation to the ambivalent 'human right to water and sanitation' and Europe's water policies?"*. I scrutinize how these theoretical frameworks help to explain the rise and success of the movement in some countries and the absence of a water movement in other countries, and I examine how the human right to water and sanitation was used by the movement as a tool to fight privatization of water services and for advancing water justice in Europe.

The conceptual frameworks helped me to understand the Right2Water movement but in my view they are incomplete. With insights that I gained from the case studies I argue that the concepts need to be supplemented with themes such as the capacity to unite diversity, reciprocity and trade-offs (a.o.) to attain better understanding of Right2Water and other social justice movements. I also argue that solidarity is the key element for social movements to arise, to maintain grounded, and to keep democratic legitimacy in combating societal injustices following from neoliberal water governance.

Through this research I intend to contribute to the understanding of the successes and pitfalls of Europe's incipient water justice movement and the usefulness and limitations of the human right to water and sanitation to combat water injustices.

Acknowledgements

This thesis was produced in a seven-year period from development of the idea to printing the book. The entire project however took actually twice as much time. A big part of my work was already done in the campaign from which the Right2Water movement emerged. This research project would not have been possible without my involvement and job experience in EPSU between 2010 and 2015. Therefore, I would like to thank my colleagues in EPSU and that contributed to the success of the European Citizens' Initiative "Water is a human right! Water is a public good, not a commodity!"

I would especially like to thank Jan Willem Goudriaan and Anne-Marie Perret, for taking up the challenge to become members of the citizens committee of the ECI and sharing their knowledge and experience in the European political arena. Furthermore, my gratitude goes out to Carola Fischbach-Pyttel, who gained important support organizations and ambassadors for the ECI, to Pablo Sanchez, my direct colleague in the campaign, and to Catherine Boeckx and Véronique Vandenabeele, for spending many hours – next to daily trade union work – to get the Right2Water campaign started and to keep it going. A huge thanks to all of you for the wonderful cooperation and your invaluable support!

My commitment to the water justice movement stems from before I joined EPSU. It was David Boys in PSI who involved me in the global water debates. I consider David as my mentor in my trade union career, as he taught me all about water politics. On this I could build my early career and I am still benefitting from it in my PhD research. Thank you for opening the door into the global water world and guiding me through!

Next, I want to show my gratitude to Olivier Hoedeman, Gerard Rundberg, Piet Jonker, Satoko Kishimoto and Luca Scheunpflug for the many discussions about water services and the pleasant collaboration in the whole period of this research project.

Numerous water activists enabled the success of Right2Water and contributed greatly to my PhD journey. Unfortunately, I am not able to thank everybody individually. I limit myself to the people I have worked with closely and who left a lasting impression of their unyielding commitment to the struggle for the right to water for all. Therefore, in no particular order, I would like to thank Greek activists Yiorgos Archontopoulos and Kostas Marioglou, and the following activists in Spain: Fatima Aguado, Fernando Anton, Luis Babiano, Eloi Badia, Pedro Arrojo, Gonzalo Marin, Miriam Planas, Nuria Hernandez-Mora and Leandro del Moral. In Germany, the Right2Water movement resonated exceptionally well thanks to Matthias Ladstätter, Clivia Conrad, Wolfgang Deinlein, Christa Hecht, and Michael Bender. It was great to work with you and all your fellow water activists.

For this thesis I returned to Wageningen University, where 40 years ago I studied "Tropical Land and Water Use" (now called "International Land and Water Management"). Finishing my PhD completes the circle: I end where I began. I would not have returned if I had not been asked by my old-time friend Rutgerd Boelens. At first, I doubted if I could focus on such a long-term research project, but after discussions with Rutgerd and Jeroen Vos I took

up the challenge. It proved to be a much bigger effort to complete the PhD than I had expected and I would have given up if it wasn't for your enormous support and professional guidance. Doing this PhD was a great learning and researching experience that has taught me to the full extent of water governance and social justice. I am very grateful to the two of you, Rutgerd and Jeroen, for the confidence you gave me, your comments, thoughts and all your questions that were sometimes dizzying me but always helping me to dig deeper and to get a clearer picture and a better understanding of what I was researching!

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Last but not least, I would like to thank my partner, Marlies Been and my sons, Stein and Olivier. You have seen me struggle and experienced how my commitment to my work and research sometimes were at the expense of our family life. At moments you saw my desperation, but you always encouraged and supported me. With you I shared joyful moments and moments of misfortune. We could laugh and cry. You had the courage and patience to allow me to go on this journey and gave me strength, energy and confidence to carry on. I made it, thanks to you and your love!

Annex 1 WASS Training Certificate

Jerry Gunther Aloysius van den Berge

Wageningen School of Social Sciences (WASS)

Completed Training and Supervision Plan

Wageningen School of Social Sciences

Name of the learning activity	Department/Institute	Year	ECTS*
A) Project related competences			
A1 Managing a research project			
WASS Introduction Course	WASS	2021	1
'The right2water movement'	European Water Movement meeting, Lyon	2024	1
'The European Citizens' Initiative Right2Water'	Pontifical Academy of Sciences seminar, Vatican City	2017	1
Research proposal writing	WUR	2020	6
Reviewing 2 scientific papers	WUR	2023-2024	2
A2 Integrating research in the corresponding discipline			
Political Ecology of Water WRM31306	WUR	2021	6
Monthly PhD "Journal Club" WUR-CEDLA Political Ecology discussion group (in total 12 scientific articles)	WUR	2021	3
Water Policy and Politics	WASS	2024	2
Training and Congress on Social Movements and the Right to Water	Congreso Iberico de planificacion y gestion del agua, Murcia	2023	1
B) General research related competences			
B1 Placing research in a broader scientific context			
Academic Publication and Presentation in the Social Sciences	WASS	2024	4
Ethics course	University of Leeds	2021	1
Symposium on 'Rivers, Commons and Social Movements'	Polytechnic University, Valencia	2022	1
B2 Placing research in a societal context			
Co-organizing 3-day Water Justice conference and presentation at conference	WUR-WRM	2022	4
C) Career related competences/personal development			
C1 Employing transferable skills in different domains/careers			
Training in teaching skills	Lumion, Bernard Nieuwentijt College, Amsterdam	2020-2023	4
Total			**37**

*One credit according to ECTS is on average equivalent to 28 hours of study load

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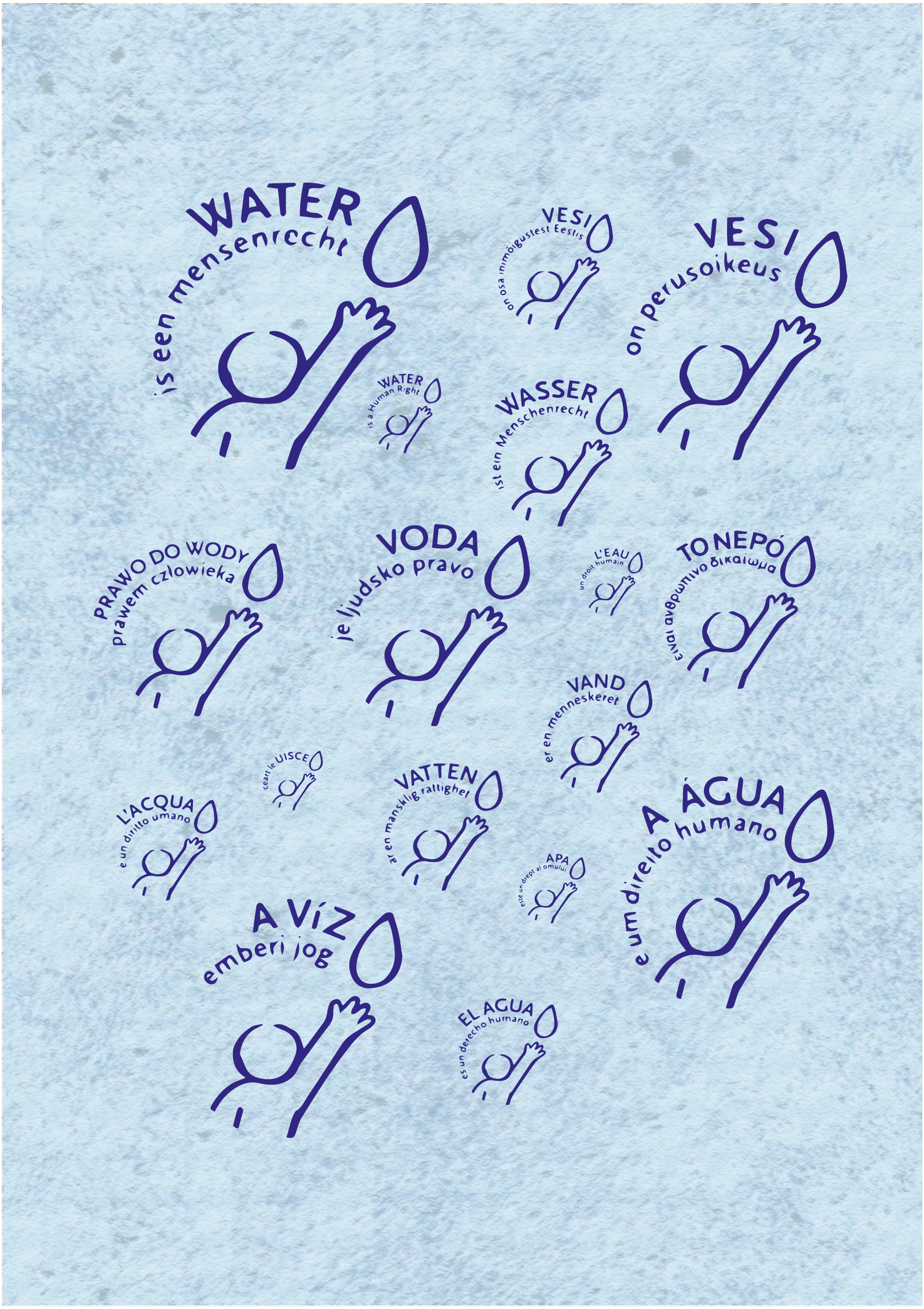
WATER
is een mensenrecht
VESI
on osa inimõigustest Eestis
VESI
on perusoikeus
WATER
is a Human Right
WASSER
ist ein Menschenrecht
PRAWO DO WODY
prawem człowieka
VODA
je ljudsko pravo
L'EAU
un droit humain
ΤΟ ΝΕΡΌ
είναι ανθρώπινο δικαίωμα
VAND
er en menneskeret
ceart le UISCE
VATTEN
är en mänsklig rättighet
L'ACQUA
è un diritto umano
A ÁGUA
é um direito humano
APA
este un drept al omului
A VÍZ
emberi jog
EL AGUA
es un derecho humano