

A SUD
ClimAct Camp
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**Campaigns and legislative initiatives of the Forum of Water
Movements**

Italian Forum of Water Movements

Over time, the relevance of the water issue in Italy has reached a level of strong social awareness and widespread local dissemination, connecting different cultures and experiences and turning the struggle over water into the paradigm of a new model of society.

For a few years now, dozens of campaigns have been undertaken by citizens, workers and local administrators on the national territory, expressing a shared and common need for a radical shift in the policies that turned water into a commodity and the market into the framework for its governance. These policies generated neglect and waste of this precious resource, job precariousness, a worsening in the quality of the service, an increase in tariffs, a reduction in investments, diseconomies of management, expropriation of collective knowledge, lack of transparency and democracy. These diverse social actors decided to come together in order to enhance their struggle in defence of water as a common good, and turn water into a national demand, shared and built in a participated way. Five itinerant national meetings took place in Cecina (July 2005), Florence (September 2005), Rome (October 2005), Naples (December 2005) and Pescara (January 2006), leading to the founding of the Italian Forum of Water Movements, whose first assembly was held in Rome from the 10th to the 12th of March 2006. The assembly was attended by over 600 participants, representatives of associational networks, national trade unions and local movements, who contributed with their experiences, deepened their analysis, and shared their knowledge and mobilization practices. As of today, over 80 national networks, 1,000 local groups and hundreds of Local Authorities are part of the Italian Forum of Water Movements.

The history of the law for re-nationalization of water

During the first Italian Forum of Water Movements (Rome, 10-12 March 2006), where the birth of the national movement was approved, the need emerged for a radical change in the regulatory framework of water resources management, through the drafting of a citizens' initiative law proposal with the following objectives: the safeguard of water resources and their quality, the re-nationalization of integrated water services and their governance through tools of participative democracy.

Following a few months of collective work, the law "Principles for the safeguard, public governance and management of water resources, and provisions for the re-nationalization of the water services" was presented, and formed the basis on which the campaign of signature collection was started. At the end of the campaign, in July 2007, 406,626 signatures were submitted.

The citizens' initiative law proposal is a tool of participative democracy guaranteed by the Italian Constitution (Art.71), which requires a minimum of 50,000 signatures to be collected in six months and handed over to the President of the Chamber of Deputies or the Senate. Following the validation of the necessary signature quorum, the parliamentary debate starts which, however, does not have any time limit or specific modalities. That is why, as of today, no citizens' initiative law proposal has ever been approved by Parliament.

On 1st December 2007, over 40,000 people took to the streets in Rome in defence of the law proposal and for the protection of the common goods, giving rise to a huge popular demonstration. In the following years, the debate on the law was limited to a few hours of hearings in the Environment Committee in the Chamber of Deputies; the law has therefore expired after two legislatures, in accordance with existing legislation.

On 12th June 2013, exactly two years after the 2011 referendum, and at the invitation of the Italian Forum of Water Movements, the Parliamentary Inter-group for Water as a Common Good was constituted in Piazza Montecitorio. Over 200 parliamentarians from different political parties, such as the 5-Star Movement, SEL, PD, Scelta Civica and the Mixed Group joined the initiative.

The aim of the inter-group was to start a legislative path for the re-nationalization of the water system starting from updating and re-submitting the citizens' initiative law proposal which had been presented by the Forum in 2007.

On 20th March 2014, the Parliamentary Inter-group "Water as a Common Good" deposited at the Chamber of Deputies the updated text of the citizens' initiative law proposal, which responded to both the need to provide our country with a unified regulatory framework, and the need to give implementation to the outcome of the referendum.

On 4th June 2015, following the mobilization of the Forum of Water Movements and efforts by the President of the Chamber of Deputies Laura Boldrini, the debate on the law proposal started again. Various bodies and experts were heard, among them: Utilitalia (Association of Water, Energy and Environmental Companies), trade unions, associations in defence of consumers, the Authority for Electric Energy, Gas and the Water System (the body that oversees the regulation of the management of public services).

On 17th March 2016, the Democratic Party and the parliamentary majority approved, in the Environment Committee, a series of amendments, which emptied and completely altered the general structure of the text and distorted its basic principles, starting with the suppression of Article 6, which disciplined the processes of re-nationalization. For this reason, dozens of parliamentarians decided to remove their signature from the law proposal.

On 20th April 2016, the Chamber of Deputies, thanks to the votes of the PD and the parliamentary majority, among protests from the activists of the Italian Forum of Water Movements and the Deputies from M5S and SI, passed a bill which is completely different, in its form and principles, from the one proposed by the Forum of Water Movements and signed by citizens, and later re-submitted by the inter-group on 20th March 2014.

The bill passed the exam of the Senate and was assigned to the Environment Committee, which started a series of hearings.

On 29th June 2016, during a hearing, the Italian Forum of Water Movements presented a very critical analysis of the text being examined by the Senate Environment Committee.

It is therefore necessary to closely monitor the parliamentary debate and build a strong mobilization and pressure from senators so that profound changes to the text are approved, reintroducing the articles and the principles which were eliminated in the Chamber of Deputies.

The 2011 referendum for public water

In 2009, the then Berlusconi government (centre-right) proposed a decree, the Ronchi decree, which pushed for the privatization of all public services, including water.

In the first few months of 2010, at the initiative of the Italian Forum of Water Movements, the Promoting Committee was created: a vast social coalition which over time gathered hundreds of groups coming from local social movements, active citizenship groups, secular and religious voluntary organizations, social, union and political forces, the school, research and university realm, the cultural and artistic sphere, and agriculture.

From the very beginning it was agreed that political forces would not join the Promoting Committee

but rather create a Supporting Committee. This choice allowed for a referendum, which, for the first time in Italy, was promoted exclusively by social and cultural forces. It also allowed to engage people on the issue regardless of their political allegiance, and for the campaigners to remain independent from political parties and carry out the campaign without political ‘padrinos’.

The repeal referendum is an instrument of direct democracy guaranteed by the Italian Constitution (Art. 75), which requires a minimum of 500,000 signatures to be collected in three months and submitted to the Supreme Court. Following the validation of the necessary signature quorum, it is up to the Constitutional Court to ascertain the eligibility of the referendum question on the basis of its respect for constitutional principles. Finally, the Government must decide a date for the vote.

In the three months between the 24th of April and the 19th of July, 1,400,000 signatures were collected in support of the three referendum questions. This was an extraordinary result, turning this referendum campaign into the one that has managed to collect the highest number of signatures in the history of our country.

(Video)

The last part of the referendum campaign was characterized by intense months, which witnessed the mobilization of thousands of people. The aim of the promoters was to have a committee in each local authority. Thousands of initiatives flourished in a campaign whose main aim was to establish a direct relationship with people. The campaigners were on the streets with gazebos, leafleting in supermarkets, on Sundays outside parishes and shopping centres, and carrying out door to door campaigning. They went back to a decades-old method, typical of a period when no big mass parties existed yet.

This was a very ambitious challenge, matured out of the awareness that referenda can only be won on the territory, by covering the whole of the Italian peninsula. On the other hand, the media ignored the referenda and their promoters and it was necessary to fill that information gap. This however turned out to be an advantage, as there were no mediators between activists and citizens. The message could reach citizens without being distorted and falsified. People could feel this struggle was theirs, felt they could participate and take part in a movement which they were contributing to build daily.

The struggle for water became everybody’s struggle, of all those who cared for the future of their country. It became a struggle to reaffirm direct democracy through the expression of the popular will, which is not only cast in the ballot but also exercised through direct participation in political life through small and simple daily actions.

video:<https://www.youtube.com/watch?v=YTzBqatD1pI>,

<https://www.youtube.com/watch?v=pJ8O3rNHEuE>)

On 12th and 13th June, about 27 million citizens voted against privatization, defeating the idea that “private is beautiful” for the first time. video: <https://www.youtube.com/watch?v=tGYt4Wvj9mM>)

As of today, most institutions, big companies and economic powers, have avoided the implementation of the referendum and, even worse, have started a new privatizing offensive.

However, we continue to fight. On the 12th and 13th of June 2011, after many years, the referendum reached the quorum again and regain its role as an instrument of direct democracy as enshrined in the Constitution. The absolute majority of Italians expressed an opinion in favour of water and local public services being kept out of a market and profit logic.

The combined provisions of the two referenda provided us with a legislative framework, which makes it possible to re-nationalize the management of the integrated water system in Italy. It is a clear indication of the direction to take in relation to social guarantees, collective rights and management of the common goods.

The outcome of these referenda was unacknowledged, then not complied with, and finally all the successive governments who were leading the country, including the current one, displayed a renewed strategy of privatizing local public services including water, in addition to re-inserting in the tariff the item that guarantees a profit for those who manage the system.

The combined provisions of the various laws approved in the last few years (Unblock Italy Decree, Budget 2015) set up a mechanism which allows the four current big multi-utilities – A2A, Iren, Hera and Acea – already traded in the stock market, to incorporate, through merging processes, all the companies that manage water, environmental and energy services, thus becoming the national “champions” capable of competing on the global market. It is also worth noting that there are constant attempts at privatizing the Puglia Aqueduct, the biggest in Europe.

This would mean a total regression to the early days of the 20th Century, when few private monopolies were in charge of managing water and public services.

In addition to this, through the tariff method set up by the Authority for Electric Energy, Gas and Water System (AEEGSI), guaranteed profits for managing companies are being subtly re-introduced under the denomination “cost of financial resources”. This method only serves to re-introduce the same mechanism of remuneration of the invested capital, thus ignoring the outcome of the second referendum question.

The Italian Forum of Water Movements, together with Federconsumatori, filed an appeal to the Tar of Lombardy and then to the Council of State.

On 26th May 2017, the Council of State rejected the appeal. This only shows that the interpretation of the Council of State follows that same line by which the water service is subjected to market and profit logics in contempt of the popular will. The seriousness of this decision needs to be denounced as it is part of the overall strategy applied after the victory in the referendum, which tries to overturn its outcome, and undervalue the very same tools of direct democracy guaranteed by our Constitution. As a result, the movement for water has mobilized since autumn 2011, launching the campaign “Civil Obedience”, which consists in paying bills without the profit component.

The “Civil Obedience” campaign

The “Civil Obedience” campaign is very simple. It consists in paying water bills without the “remuneration of invested capital” profit component, which was repealed.

The campaign is called “Civil Obedience” as we are not disobeying an unjust law, but, more simply, behaving according to existing laws, as modified by the outcome of the referendum.

The main aim of the campaign is obvious - to obtain the implementation of what was unequivocally decided in the referendum, with the vote of 27 million Italians: no profit from water.

Through active mobilization of citizens, we were aiming at a bottom-up direct democracy, one that is self-organized, aware and unwilling to lower its head to the diktat of the various strong powers.

This campaign continued after the issuing of the tariff method set up by the Authority for Electric Energy, Gas and Water System, as, in our opinion, this method only means a subtle reinsertion of the guaranteed profits for the managing companies, under the denomination of “cost of financial resources”, reintroducing them through a standard percentage of the invested capital. This is equivalent to that very same mechanism of remuneration of invested capital that the popular vote had rejected.

The Parliamentary Inter-Group for Water as a Common Good.

On 12th June 2013, exactly two years after the 2011 referendum, at the initiative of the Italian Forum of Water Movements, the Parliamentary Inter-Group was instituted in Piazza Montecitorio. Over 200 parliamentarians from different political parties, such as the 5-Star Movement, SEL, Scelta Civica, PD and the Mixed Group joined the initiative.

The aim of the inter-group was to start a legislative path towards the re-nationalization of the water system starting from updating and re-submitting the citizens’ initiative law proposal, which had been presented by the Forum in 2007. Other short-term objectives were: to oppose the tariff fraud

set up by the AEEG in total opposition to the outcome of the referendum, and to guarantee citizens' right to water by fighting the practice of deactivations of service.

In particular, here follow the inter-group working guidelines:

- submission of the citizens' initiative law proposal "Principles for the safeguard, public governance and management of water resources, and provisions for the re-nationalization of the water services" promoted by the Italian Forum of Water Movements with the due updates;
- work in synergy with local authorities, so that at the territorial level the policies on the management of the integrated water system are coherent with the contents and principles of the above mentioned law and with the full implementation of the referendum outcome;
- work towards the adoption of a shared text on the resolution that binds the Government to implement the outcome of the referendum, currently debated in the Chamber of Deputies' Environment Committee;
- ensure, in line with the outcome of the referendum, that the next governmental provisions, including the Budget Law, do not provide for the current normative framework in relation to a governance of local public services which might limit public management;
- submission of and support to provisions that bring back all matters of regulation of the cycle of water and the water service under the competency of the Ministry for the Environment, the Safeguard of Territory and the Sea, including the determination of the tariff method, and that aim at the immediate repeal of the Transitory Tariff Method set up by the Authority for Electric Energy, Gas and the Integrated Water System.

However, following the approval of the Law for Water in the Chamber of Deputies on 20th April 2016 the inter-group suffered a setback, as some deputies did not stick to their commitment towards one of the main principles, the support to the law as deposited in 2014.

The European Citizens' Initiative (ECI) "Water is a Human Right"

The European Citizens' Initiative (ECI) is a new instrument introduced by the Treaty of Lisbon which entered into force in April 2012. It allows citizens and civil society organizations to submit to the European Commission a legislative initiative by collecting a million signatures in at least seven EU countries in 12 months.

We used this tool as part of the European Water Network, managing to collect over 1,400,000 signatures all over Europe and bringing the debate inside the European Commission and the European Parliament.

link (<http://www.right2water.eu/>) video in inglese:

<https://www.youtube.com/watch?v=7fQcDDF0f4c>

The first debate took place in March 2014, to which the European Institutions responded with an initial elusive position; for us, it represented only a first step and we will continue with our struggle. The initiative was aimed at turning water into a human right in all EU member countries through a petition articulated in several items, exhorting the European Commission to propose norms that guarantee the universal human right to drinking water and sanitation, as acknowledged by the United Nations, and promote the supply of water and sanitation as basic public services for all. The European Union legislation must ensure that all governments guarantee and provide all their citizens with clean water and sanitation services, in sufficient measure.

Such initiative, among other things, contributed to strengthen the European Network for Public Water, which had been founded during the international meeting in Naples on 10th and 11th December 2011 (The Naples Manifesto). This is an open, inclusive and pluralistic network of social

organizations, groups and trade unions whose aim is to strengthen the recognition of water as one of the common goods and as a fundamental human right, an essential element for all human beings. We decided to create the European Network in a moment of strength and victories for the water movements in many countries. It seemed it was the right time for such a step.

This was a decisive moment, in the middle of a profound systemic crisis that is shaking the world and Europe to its foundations, convinced as we are that the participative governance of water and the common goods can represent an exit way from the crisis generated by neoliberal policies and can lay the ground for a new European social model, which is cooperative, solidarity-based, fair and inclusive.

We are aware that the work on our territories and in our countries, albeit a fundamental and inalienable requirement of any European campaign, is not enough: on the one hand, the big capital increasingly moves at the transnational level, on the other, the European Commission and the ECB are becoming spokespersons for financial powers, which demand privatization of common goods and public services and assets.

As Italian Forum of Water Movements we are part of this movement. We are united in the struggle against privatization and the commodification of this vital good, and committed to build a public and community-based governance of water, founded on the democratic participation of citizens and workers.

Legislative initiatives at the local level

In the years preceding the referendum, and especially in those following it, our local committees used instruments of participatory democracy guaranteed by Local Authorities (Municipalities, Provinces and Regions), such as citizens' initiative regional law proposals (Tuscany, Puglia, Sicily, Calabria, Lazio, Liguria) and citizens' initiative resolutions at the municipal level (Rome, Turin, Reggio Emilia, Padua, Cuneo). These instruments were aimed at the re-nationalization of the management of the water system in those specific territories, or at blocking any definitive privatization. These initiatives have been of fundamental importance in giving continuity to mobilization and activism, in addition to being a useful instrument that stimulates public debate and continues to maintain a direct relationship with local communities thanks to the organization of stalls to collect signatures, seminars, rallies, shows and so on.

At the regional level, only in Lazio we managed to get a law approved, albeit still unapplied and therefore substantially useless. In other territories, such as Turin, a resolution has been approved; however, in this case as well, it is practically unapplied.

Following these experiences, it is clear that there is a lack of political will in applying the outcome of the referendum also at the local level, as well as in achieving a public and participative governance of water in Italy.