



INFORMATION IN THE WATER SECTOR

From Consumer Expectations to Stakeholder Engagement

Aqua Publica Europea

Information for transparency, public participation and accountability in the urban water sector

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Context for the debate

- Water and sanitation are a human right and water is a public good
- Drinking water services are of particular concern to citizens (Right2Water citizen initiative)
- International treaties & EU & national legislation ensure right to access information and participation in decisions over environmental issues
- Water operators produce and manage growing quantities of information and data (smart meters, ICTs...)
- Water operators face challenges (ageing infrastructure, water quality concerns, environmental compliance) that can more effectively be addressed with better informed citizens.
- Increased transparency will improve trust in drinking water services
- Urban water services are often particularly opaque

International regulatory framework

- Principle 10 of the 1992 **Río Declaration** on Environment and Development: every person has access to information, can participate in the decision-making process and has access to justice in environmental matters.
- The 1998 **Aarhus Convention** on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters came into force in 2001, and was ratified by the EU in 2005.

EU regulatory framework

On public information, participation and access to environmental justice

- Directive 2003/4/CE on public access to environmental information
- Directive 2003/35/CE providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment.
- Water Framework Directive (2000/60/CE o DMA) .

On open data

- Directive 2003/98/EC on the re-use of public sector information revised by Directive 2013/37/EU
- INSPIRE Directive (2007/2/EC), establishing an infrastructure for spatial information in Europe to support Community environmental policies, and policies or activities which may have an impact on the environment.

Drinking water directive revision

- Evaluation of Directive 98/83/EC on the quality of water intended for human consumption identified 4 areas for improvement:
 - Increased transparency on water-related issues and giving citizens access to up-to-date information
- New article 14 aimed to improve transparency by:
 - Increasing information available to the public online
 - Provide specific information directly to the public through invoices and others
- New Annex IV: (limited) transparency requirements:
 - Water quality information (water quality monitoring data, water use, water savings, additional info for large utilities – rate structure, costs, efficiencies,)

Transparency and access to information

Access to information:

- Responding to requests for information
- Annual report of requests, complaints, consultation and responses

Pro-active transparency: data portals and information

Public information for what?

Improve decisions & effectiveness of public policies

“The success of the Directive relies on (...) information, consultation and involvement of the public, including users” (Consideration 14, Directive 200/60/EC)

Facilitate effective public participation

Improve trust in drinking water services

Environmental benefits

Support for sustainable and equitable pricing policies

Improve service provision

Improve accountability of water operators

Type of information

<p style="text-align: center;">Institutional</p> <p>Staff directory and organizational chart Board of directors Board meeting minutes Annual report</p>	<p style="text-align: center;">Accounting and budgetary</p> <p>Budgets and annual accounts linked to planning and management objectives Analytical accounting Salaries of board members</p>	<p style="text-align: center;">Contracts and public procurements</p> <p>Calls for tenders Make up and minutes of adjudication committees Contracts, agreements, subsidies, donations</p>
<p style="text-align: center;">Public works</p> <p>Infrastructure investment plan and analysis of alternatives Funding sources Public works execution, modification, liquidation.</p>	<p style="text-align: center;">Rate structure</p> <p>Rate structure and explanatory notes Human right to water guarantee mechanisms Cuts to service, procedures and criteria</p>	<p style="text-align: center;">Service information</p> <p>Water supply: volume, quality, efficiency (NRW), infrastructure maintenance, energy costs Wastewater treatment: infrastructures, non treated water, effluent quality, discharge permits, rainwater management</p>

Data & information formats

Not all data formats are equally transparent

Information needs to be:

- Adapted to the needs & capacities of the target audience
- Regularly updated
- Comprehensive and traceable
- In open formats, that is in formats that allow data to be used, reused and redistributed freely by any person or institution

Evolve from a reactive “right to access information” mindset toward proactive open data policies

Public participation

Two spheres of participation:

- In decision making processes
 - Board of directors (public utilities)
- In monitoring and evaluation of management processes
 - Citizen observatories
 - Local citizen councils

Participation in board of directors

Ultimate decision-making body with supervisory power

Open up the boards to other interests and social groups: some limited experiences (Córdoba, EMASESA...)

But:

- How are representatives selected
- What percentage of the seats allocated to social interests
- What are the criteria to select or revoke board members
- Who are elected members accountable to?

Exclusive of public water utilities

Citizen observatories

Paris citizen observatory as reference

Observatories as entities for monitoring, documentation and analysis:

- Analysis of data and information, management indicators, compliance with human right to water obligations

- Monitoring and comparative reports

- Assess, advice and develop strategic plans, investment plans, etc.

Lingering questions:

- Geographic area

- Delegated power: consultative, enforcement, monitoring

- Composition

- Virtual or physical. Funding? Need to ensure continuity.

Local citizen councils

Direct public participation institutions

Responding to social demand for increased participation (Tabla del agua de Tarrasa, Spain) or created by the municipality (is there enough capacity)?

Functions and roles:

- Spaces for collective deliberation

- Support and coordinate public participation processes

- Consultative role in key management decisions (strategic and action plans, investment plans, approval of tariffs, etc.)

Delegation of power?

Funding?

Public accountability

Different avenues:

- Through public participation institutions
- Through a common indicator system - benchmarking
- Through budgetary and planning processes
 - Budgets linked to strategic planning and investment plans

Developing performance indicator

Develop a **comprehensive** set of indicators on the performance of urban water service providers (reporting, accountability, benchmarking). Indicator typology

- Economic & financial performance indicators
- Technical performance indicators
- Environmental performance
 - Wastewater discharge quality
 - Energy consumption (ecological footprint)
 - ...
- Public participation
 - Inclusion of social representatives in board of directors
 - Mechanisms for social participation
 - Mechanisms for inquiries and public input
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