

THE FUTURE IS PUBLIC: WORKING PAPER 12

Spain/Catalonia: Can Terrassa's new public water service be a model?

By Míriam Planas and Juan Martínez

Background: the campaign for a public water service in catalonia

Eighty-four per cent of people in Catalonia depend on a private company for their water supply. This is equivalent to roughly 400 of Catalonia's 900 municipalities. In 2010 a slow but constant remunicipalisation movement began, and remunicipalisation is now a reality in 27 municipalities (with another seven determined to follow their example in the next few years).

In 2011 the *Aigua és Vida* (Water is Life) platform was set up by a wide variety of civil society organisations: neighbourhood associations, trade unions, environmental and international solidarity organisations, among others. The aim of the platform is to advocate for the public sector to decide on water policy and manage the entire water cycle in Catalonia, with civil society participation and oversight to ensure the quality of the service and democratic governance. The platform also denounces the role of the private sector in the management of water and sanitation, and participates in groups and networks at the national, European and global level.

Other local platforms campaigning for remunicipalisation emerged at the same time, such as *Aigua és Vida Girona* and *Taula de l'Aigua de Terrassa*. In subsequent years, more platforms were set up, and there are now as many as 18 local groups. These are local neighbourhood platforms working in each municipality to develop citizen oversight of water and advocate for the remunicipalisation of the service.

Finally, the Association of Municipalities and Organisations for Public Water in Catalonia (*Asociación de Municipios y Entidades por el Agua Pública*, AMAP) was established in January 2018. The founders of this association were seven municipalities, two public service providers and the *Asociación Catalana de Enginyeria Sense Fronteres*, representing *Aigua és Vida*. One third of the inhabitants of Catalonia live in these seven municipalities. The purpose of the association is to publicise and promote fully public management of water, and to support municipalities that wish to move towards public management. Another aim is to advocate for public policies on public management of water. On the eve of its second anniversary, AMAP continues to grow and now has 35 members.

In this complex scenario, coordination, sharing and trust among diverse movements and actors in the water sector have been key to chip away at the private sector's monopoly.

The immediate challenge is how to build new, long-lasting models designed for new forms of water governance. In this sense, the case of the water movement in Terrassa can serve as inspiration for new experiences.

The process of recovering ownership of the service in terrassa

Terrassa is a municipality located some 20 kilometres away from the city of Barcelona. It is Catalonia's third largest city in terms of population, with 218,535 inhabitants in 2018. In 1941, in the midst of the dictatorship, the concession to manage and run the water supply service was awarded to the company *Mina Pública de Aguas de Terrassa, S.A.* for a period of 75 years. Despite having 'public' in its name, this is a strictly private company owned by a group of industrialists from the city.

Taula de l'Aigua de Terrassa (Water is Life Terrassa) was created in 2013. It is a social organisation seeking to return the management of the water supply service into public hands by 2016, the year the concession was due to end. It launched a process of information, documentation and training for its members, made contact with networks such as Aigua és Vida and Enginyeria Sense Fronteres, and organised numerous information events and campaigns to collect signatures. When the municipal elections were held in 2015, it campaigned for a 'Social Pact for Public Water', a pledge committing to public, integrated and participatory management of the entire water cycle, and it invited all political groups and social organisations to become signatories.

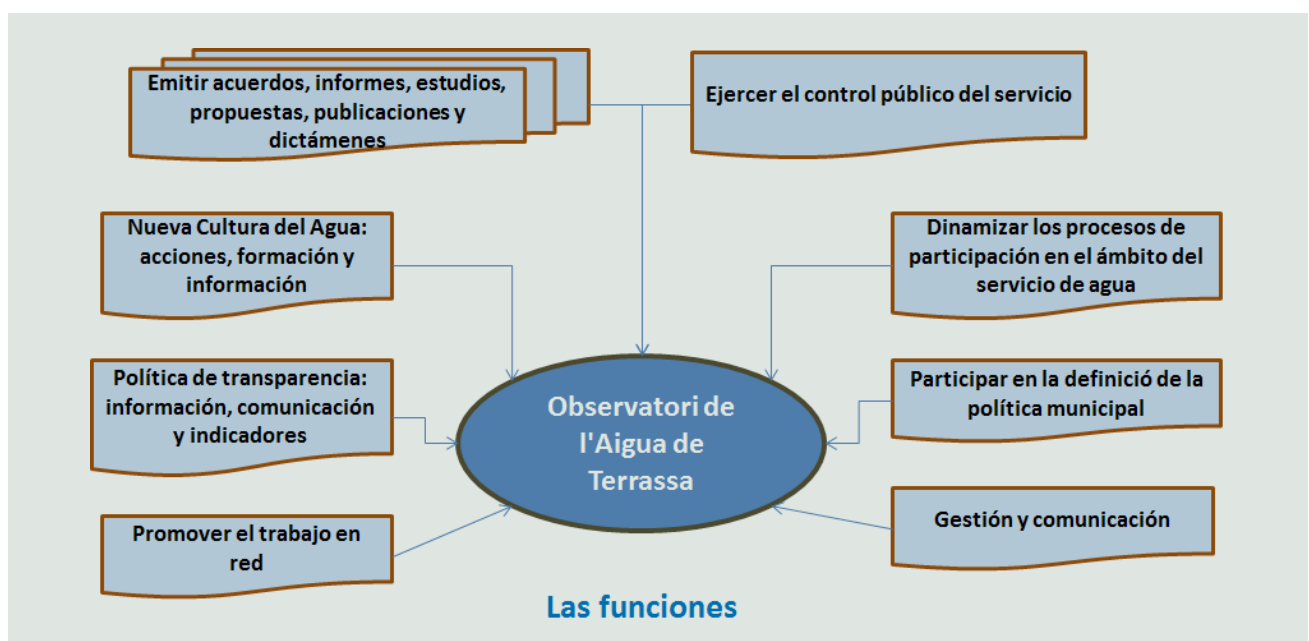
Despite pressure from the city's business lobby, in July 2016 the City Council approved a motion in favour of direct management of the water supply service. Finally, in June 2018, *Taigua, Aigua Municipal de Terrassa* was created as a public enterprise 100 per cent owned by the municipal government.

A month later, the by-laws were approved for the Terrassa Water Observatory (*Observatorio del Agua de Terrassa*), mandating it to facilitate citizen participation in order to define policies and guide strategic decisions affecting the municipal water supply service.

The water observatory as a forum for collaboration

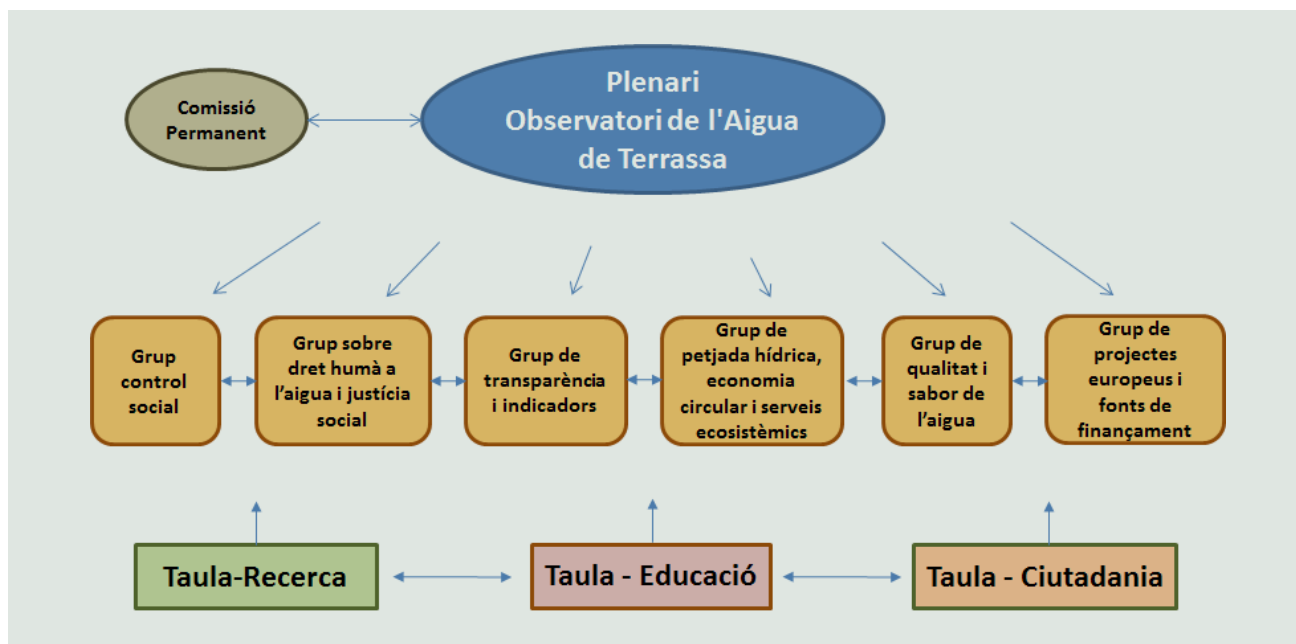
The Terrassa Water Observatory has its origins in a motion approved by the Citizen Parliament of Terrassa, a forum that promotes debate and agreements pushed by citizens for consideration by local authorities. A lengthy process of negotiation with the municipal government and political groups in favour of remunicipalisation led to the approval of its by-laws in July 2018. Putting the Observatory in place necessitated another lengthy negotiation process, which unfolded during three key meetings held in 2019: in February when it was officially set up; in March when appointments were made for all the management posts; and in April when the work plan and budget were approved and working groups were set up. The Observatory is an innovative forum for participation and collaboration, which has become a point of reference for many other municipalities in Catalonia and Spain, particularly for the movement campaigning for public management of water.

The Observatory was set up as an autonomous organisation affiliated with the Terrassa City Council. The nature of its work is to consult, advise, deliberate and make proposals, and it is able to carry out studies and produce reports and recommendations on water management. It also has the power to draft agreements that must be studied by the municipal government with the aim of including citizen participation in defining policies and strategic decisions to ensure that the service operates properly.



The preamble to its by-laws states that the Observatory was set up 'with the political will to improve governance of the city by increasing participation, collaboration and consensus-building with citizens and social actors', and it specifies that 'this new space is designed to be a participatory forum that will operate autonomously, with its own work plan and sufficient funding to be able to fulfil its roles and responsibilities and achieve its objectives, in compliance with the democratic quality criteria established by the Terrassa City Council'.

The fact that the Observatory operates autonomously is essential to enable it to perform its roles. This autonomy is also guaranteed by the appointment of an independent president by the Plenary, as well as that of coordinators whose actions must follow the guidelines issued by the president and the Standing Committee, and to insulate it from politics related to election cycles.



As the highest governing body, the Plenary is composed of a representative from each political group in the municipality, a representative of the municipal government (in this case, the councillor responsible for the city's water service who attends meetings but does not chair them), and representatives of technical service staff, businesses, community groups, unions, the education sector and university-based research groups. Both the president and the Plenary can also invite people from outside the Observatory (with no voting right) to enrich the debate and discussion on any specific issue. This diverse composition makes management of the Observatory somewhat complicated, but it also enhances its consensus-building capacity and gives it a high level of legitimacy.

The driving forces that make the Observatory work and ensure that its work plan is implemented are the six working groups and the three collaboration roundtables or networks – research/university, education/schools and citizenship/community groups. The working groups are coordinated by the Observatory's Standing Committee, and are open to everyone who wishes to contribute. The people involved are mainly from social organisations, the university and other groups that are members of the Observatory.

The three round tables or networks are autonomous forums that act as interest groups, aiming to reinforce the common project, raise the Observatory's profile and lobby to influence their sector. For example, the Observatory has delegated to the Education Roundtable the task of promoting the new water culture in the education system. The Research Roundtable acts as a broker within the university setting and facilitates communication with teaching staff and students. The Citizenship Roundtable does the same with community groups. All these spaces are open to anyone who wishes to contribute.

The representatives and members of the governance structure are appointed for a four-year term. The president is elected by the Plenary, with an absolute majority of members (except the person representing the municipal government), and the post is voluntary. Consecutive terms are not allowed.

Now that we have recovered ownership of water, what next?

The major challenge now faced by Taula de l'Aigua, the social organisations, the political groups and city government is to consolidate the Observatory's process and project. This implies delivering on the agreed work plan and overcoming process-related barriers.

The work plan is structured around four main areas of action. The first is communication: this involves defining the image of the Observatory and developing the communication tools that will enable it to transmit information and knowledge successfully. The second area of work is to make the concept of social oversight meaningful and develop objectives, a work plan and methodology; this also involves information management, transparency and indicators for monitoring. The third area is related to promoting a new water culture locally, through activities in schools. Finally, the fourth area involves conducting studies on key issues pertaining the water cycle in the city, as they relate to the social, environmental and technical-economic dimensions relevant to the working groups.

Of the many and varied challenges that must be addressed, we present three salient ones. The first is the conflict between the autonomy of part of the management structure and the hierarchy of municipal government responsibilities. The second is to guarantee the co-production of public policy and collaborative governance in a public service. The third is the weakness linked to disagreements between social groups due to different ways of understanding social mandates.

With regard to the first challenge, in a study on the Observatory the researcher Hug Lucchetti asks whether the Observatory as a community management body fits within the municipal government's organisational structures. He concludes that it does not, for two reasons: the first is that an institutional culture receptive to this type of public oversight does not yet exist in local government; and the second is that the local government architecture and legislation that would facilitate it is not yet in place either. There is no doubt that the old forms of governance are not a suitable format for the shared development of public policy. For this reason, there is a need to move forward with proposals to make changes to the regulations regarding participation to include the approach of co-produced public policy and co-management of public services, as well as a need to develop new narratives that help to change the current political culture that is suspicious of innovations of this type. The difficulty of combining the desire for citizen oversight and the desire for an increasingly managerial style in public service is clear. Everything will depend on the political balance of power between the city council and the social movements, which need to defend the model. Although the new municipal government has reiterated its commitment to the project, many politicians and officials are still very reluctant to facilitate participation by the Observatory in the city council's internal assessment processes and legislative proposals, and this aversion will need to be overcome.

In order to overcome these misgivings and such reluctance, it will be necessary to do things properly, work thoroughly, maintain a firm commitment to the project and its objectives, multiply and strengthen channels for dialogue and collaboration, reinforce the project's support networks and adopt an attitude of patience and persistence. Right now, the continuity of the Observatory depends on the strong conviction of its supporters and on the perception among the main actors that it represents a worthwhile political playing field. This demonstrates that it is difficult to make the transition to these participatory models without empowering citizens first.

With regard to the second challenge around the co-production of public policy and collaborative governance, when the City Council remunicipalised the service it declared that its objective was to 'take a

step further and define a new phase and culture of citizen participation in the management of the city's common goods'.

The discussions and negotiations required to launch the Observatory were lengthy and intense. Such debates are essential to define the nature of the Observatory and its place within the City Council. It is a question of defining what we want this 'new phase and culture of citizen participation' to look like. It will need to be the result of an agreement and shared commitment. For example, how will the different actors – local government, public water operator Taigua, the Observatory and other relevant organisations at the municipal level – coordinate with each other? What are the roles and responsibilities of each actor? Does this coordination require specific spaces? How will information be managed? And, in general terms, how do we design the new policy on water?

Concerning the third challenge, which relates to the different ways of understanding social mandates among the social groups, it is worth emphasising that the Observatory is the result of the city's social and political actors placing their faith in collaboration and consensus-building for co-production of public policy and collaborative governance. This determination means devoting time and effort to discussion and forging agreements between actors with different points of view. But participating in local government also means working within a highly bureaucratic system, which implies a time commitment that may be exhausting for social groups.

Not every group is in favour of this strategy and some question whether it is the most effective one for promoting certain ideas. They ask who wins and who loses in these processes, how resources are distributed, how power relations are transformed, how decisions are taken, who benefits, and what degree of legitimacy the decisions have. Consensus is necessary to take public policies forward. But social gains are exercises in counter-power and are born from dissent. This is why the civic-deliberative and consensus-building process represented by the Observatory is sometimes viewed unfavourably. Despite the very short time the Observatory has been operating, there are already some tangible results, such as the development of a training proposal in the form of educational activities within schools and proposals for research work. In addition, the working groups are organising social reflection days, and work is being done to prepare assessment reports and proposals on how to define and implement the human right to water in the city, how citizen oversight of public services can be defined and put in practice, how to achieve transparency, what indicators should be used for the evaluation and monitoring of the service, what is the quality of the water we consume, what are the implications of different forms of water use (particularly on health), how can we act as responsible consumers, what is the water footprint of the city and its activities, and how can we make improvements from the circular economy perspective.

The Observatory is a very new process. It is a great achievement that came after six years of work by many of the city's social groups, but at the time of writing it had only been running for six months. As such, it remains an experiment and it is only with time that it will be able to demonstrate its effectiveness.

Box 1: 'Write water, read democracy'

It is a slogan deeply rooted in the battle to recover the public management of water throughout the world. In Terrassa it has been mentioned repeatedly and we have our own reading of its meaning. The EU Framework Directive on Water introduced the notion of 'active public participation', which was then inserted in the legal framework that has developed since. But in Terrassa, the word 'participation' is no longer useful for understanding each other. It is used by political groups, governments and public administration in general, but we have come to realise that they use it to mean something completely different from what we, grassroots groups and citizen movements,

mean by it. This is why we need to use new words and seek new definitions. So instead we talk about spaces for collaboration and consensus-building, collaborative networks, collaborative governance, co-production of public policy, social empowerment, citizen oversight, citizens sharing responsibility, governance for sustainability, a new political culture, a new social culture and a new water culture.

The inclusion of these new words in the city's political vocabulary is disconcerting to political groups and the government, but the old words no longer help us to solve problems. This is, without a doubt, the main social and political battle in the city.

ABOUT THE AUTHORS



Míriam Planas is an activist with Engineering Without Borders in Catalonia and spokesperson for L'Aigua és Vida (Water is Life), an organisation that campaigns to remunicipalise water in the Barcelona region and bring it back to public control. As an activist, Míriam is working for development cooperation to guarantee universal access to basic services. She is also involved in various citizen platforms and is a member of the European Water Movement.

Juan Martínez is the first president of Terrassa Water Observatory, appointed by the Plenary.

Endnotes

- 1 Planas, M., 'Una ola ciudadana reivindica unos servicios públicos y democráticos de agua en los municipios catalanes', in Remunicipalización: Cómo ciudades y ciudadanía están escribiendo el futuro de los servicios públicos, 2017: https://www.tni.org/files/publication-downloads/remunicipalizacion_como_ciudades_y_ciudadania_estan_escribiendo_el_futuro_de_los_servicios_publicos.pdf
- 2 Taula de l'Aigua de Terrassa, La remunicipalización del agua en Terrassa, 2017: https://drive.google.com/file/d/0B_WhhRdbb1CoZzUwOGQ3cE9Rbk0
- 3 Taigua, Acuerdos municipales: <https://www.taigua.cat/es/acuerdos-municipales/>
- 4 Observatori del Agua de Terrassa, Pla de Treball 2019, Plenary 21 March 2019: <https://drive.google.com/file/d/12a9-xKpyh2h1isJ7aLIAYW7tP1VnsUE1/>
- 5 Observatori de l'Aigua de Terrassa, Grups de treball: <https://drive.google.com/file/d/1q1XPszhcPMpoNwWF-pLMi0f7sDobi9fDT>
- 6 Lucchetti, H., TFM. Estudi de Cas de l'Observatori de l'Aigua de Terrassa, Màster Interuniversitari en Polítiques Socials i Acció Comunitària, UAB-IGOP Institut de Govern i Polítiques Públiques, 2019: <https://drive.google.com/file/d/1cQkpd1CONCmDxiYe4gSBEB-KCN9gisOs/>
- 7 Castro, M. y Martínez, M., No hay participación sin redistribución del poder. Diagonal Periódico, 24 April 2016: <https://www.diagonalperiodico.net/movimientos/30226-no-hay-participacion-sin-redistribucion-del-poder.html>

This working paper is presented at The Future is Public Conference (December 2019). The draft report "The Future is Public: Towards Democratic Ownership of Public Services" and 15 working papers together form the conference resources. The Transnational Institute and co-publishers will publish the improved report and final papers as a book in 2020. To access the conference resources: futureispublic.org