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Mobilising for Change: The first successful European Citizens' Initiative 'Water is a Human Right'.¹

[Bieler, A. (2015) 'Mobilising for change: The first successful European Citizens' Initiative 'Water is a Human Right'; paper presented at the *ETUI Monthly Forum*; Brussels/Belgium, 22 January.]

Between May 2012 and November 2013 the European Citizens' Initiative (ECI) 'Water and Sanitation are a Human Right' successfully collected close to 1.9 million signatures across the European Union, forcing the Commission into an official position on the role of water in the EU and wider world.

Set against the background of the structuring conditions of the global economy, this paper will assess the alliance of trade unions and social movements underpinning the successful initiative. It will critically discuss the underlying dynamics of the ECI and its relation to the broader global and European water movements as well as explore the reasons for its success. Moreover, the limits to a wider impact of ECIs on EU policy-making will be investigated, before the paper will, finally, reflect on the broader lessons to be learned for the struggle against neo-liberal restructuring.

Introduction

From the Cochabamba water wars in 2000 to the United Nations declaration of water as a human right in 2010, from the re-municipalisation of water in Grenoble in 2000 to the re-municipalisation of water in Berlin in 2013, the struggle against water privatisation has picked up pace. Drawing on this experience of struggles around the world the European Federation of Public Service Unions (EPSU) submitted its request to organise an ECI on 'Water and Sanitation are a Human Right' to the Commission on 2 April 2012. Once the ECI had been approved by the Commission on 10 May 2012, the collection of signatures started. The initiative proved to be an enormous success. Between May 2012 and November 2013, close to 1.9 million signatures across the EU were collected and formally submitted to the Commission (see <http://www.right2water.eu/>). As a result, two hearings took place on 17

¹ Work for this paper started during the *Transnational Labour Project* at the Centre of Advanced Study in Oslo (see <http://transnationallabour.wordpress.com/>). I am also grateful to the European Federation of Public Service Unions (EPSU) for its financial support in relation to field research in Berlin in November 2014 and Jan Willem Goudriaan for his comments on an earlier draft.

February, one with the Commission and one with a group of members of the European Parliament (EP). While impressive in itself, it is not only the large number of signatures, which is a sign of the success. The ECI, based on a broad alliance of trade unions and social movements, was successful at a time, when austerity policies were enforced across the EU member states, including pressures towards further privatisation especially on the countries in the EU's periphery such as Greece and Portugal. It, therefore, went completely against the trend and in opposition to dominant forces pushing for further neo-liberal restructuring. The purpose of this paper is, first, to analyse the underlying dynamics of the ECI in order to establish why the initiative was successful. Moreover, the limits to a wider impact of ECIs on EU policy-making will be investigated, before the paper will, finally, reflect on the wider lessons to be learned for the struggle against neo-liberal restructuring.

Conceptually, the paper is based on a historical materialist approach to social movements (Barker et al 2013). Social movements and civil society more generally have been widely studied from liberal approaches especially in relation to globalisation and related increasing inequality. Nevertheless, there are a number of problems involved in these analyses. First, civil society is automatically understood as some kind of progressive force against exploitation, potentially able to re-establish control over market forces at the global level. These analyses overlook that civil society also includes pro-globalisation forces such as business associations, which are often a driving force behind global restructuring. Hence, in this paper civil society is understood in a Gramscian sense as part of the integral state, made up of civil society and political society, representing a terrain of struggle between different social class forces over the dominant economic and political order. Second, liberal analyses overlook the crucial importance of the capitalist social relations of production around the private ownership of the means of production and wage labour. As a result, different organisations have different levels of structural power available, with business organisations

in times of transnational production networks being more powerful than national trade unions, for example (Bieler 2011: 165-70). Furthermore, by neglecting the social relations of production, liberal approaches overlook in their emphasis on re-distribution of wealth that it is the hidden abode of production, where exploitation takes place. ‘We must explore the netherworld of production, outside and beneath the market, where economic necessity compels workers owning only their labour power to seek employment’ (Barker 2013: 44). Hence, in contrast to liberal approaches, this paper is based on a historical materialist approach with an emphasis on social class forces as main collective actors and a focus on class struggle as key to understanding economic-political developments.

Nonetheless, how can we understand the struggles over privatising water in the EU as instances of class struggle? When reflecting on the increasing number of struggles of the late 1960s and 1970s, Harry Cleaver asserts that ‘the reproduction of the working class involves not only work in the factory but also work in the home and in the community of homes ...; the working class had to be redefined to include nonfactory analysis’ (Cleaver 2000: 70). Hence, the analysis of class struggle has to cover the whole ‘social factory’, not just the workplace. Access to water is precisely such an issue. It clearly goes beyond concerns related directly to the workplace and yet every worker’s daily life is affected by, and depends on it. Struggles over water privatisation are, thus, class struggle. Another attempt to include struggles outside the workplace into class analysis is made by Kees van der Pijl. He argues that neo-liberal capitalism is characterised by capitalist discipline being now further extended within the entire process of social reproduction, involving the exploitation of the social and natural substratum. Struggles against these new forms of exploitation also need to be conceptualised as class struggle as much as exploitation and resistance in the workplace (van der Pijl 1998: 46-8; see also Bakker and Gill 2003). Clearly, the struggle of social movements

against the commodification of water as a tradable, economic good is an instance of class struggle against the commodification of the sphere of social reproduction.

Nevertheless, while class agency is crucial in line with Cleaver's conceptualisation, agency does not take place in circumstances of agents' own choosing. Hence, in the next section the structuring conditions in the global political economy and their relation to pressures for water privatisation will be analysed first, before the agency of the water alliance behind the ECI will be assessed in subsequent sections. In short, the analysis of the ECI against water privatisation will be conducted from a historical materialist perspective with an emphasis on the dynamics of class struggle within the wider structuring conditions of global capitalism (Bieler 2014).

Water privatisation and the structuring conditions in the global political economy

Due to the way of how the capitalist social relations of production are organised around wage labour and the private ownership of the means of production, capitalism is characterised by a set of key dynamics (Bieler 2014: 116-19). First, both labour and capital have to reproduce themselves through the market. While workers compete with each other to sell their labour 'freely', capitalists are in constant competition with each other over profitability and market share. Hence, capitalism is characterized by a constant drive towards further innovation in order to outcompete one's competitors. While capitalism is very dynamic, however, it is also crisis prone, a second structural dynamic. The more goods are produced and the more profits are generated, looking for further profitable investment opportunities, the more difficult it becomes to bring together excess labour and excess capital in a fruitful way. Expressed differently, there is a situation of a surplus of both capital and labour, which can no longer be brought together in a productive way within the capitalist social relations of production, a 'state of overaccumulation' in Harvey's understanding (Harvey 1985: 132). Third, Rosa

Luxemburg had already pointed to ‘the inherent contradiction between the unlimited expansive capacity of the productive forces and the limited expansive capacity of social consumption under conditions of capitalist distribution’ (Luxemburg 1913/2003: 323). Hence, capitalism constantly has to expand outward and incorporate new, non-capitalist space in order to overcome crises.

This outward expansion can be geographical in that new areas are integrated or re-integrated along new lines into capitalism or it can be inward expansion in that decommodified areas are re-commodified for profit making. It is here that the privatisation of public services becomes important. The provision of certain public services such as education and health, water and energy, is the responsibility of the state in industrialised, developed countries. The privatisation of the production of these services has not implied to date that the state would give up on this responsibility. In fact, states have set up regulatory agencies to oversee the private production of services. And it is this state responsibility, together with the ensured demand for water and the fact that water is a natural monopoly, which makes the privatisation of services like water such an attractive investment opportunity for capital. At times, when the global economy is in crisis and other investment opportunities have dried up, investing in services provision, ultimately guaranteed by the state, promises super profits (Fattori 2013b: 378). David Harvey (2003) has referred to process of this type as accumulation by dispossession. ‘The official terminology for “accumulation by dispossession” is of course “privatization”. As the latter term suggests, privatization is a process through which activities, resources, and the like, which had not been formally privately owned, managed or organized, are taken away from whoever or whatever owned them before and transferred to a new property configuration that is based on some form of “private” ownership or control’ (Swyngedouw 2005: 82). As recent reports confirm, international banks and investment institutions have identified water as an excellent,

profitable investment opportunity. ‘A disturbing trend in the water sector is accelerating worldwide. The new “water barons” – the Wall Street banks and elitist multibillionaires – are buying up water all over the world at unprecedented pace’ (Yang 2012). Slogans such as ‘water is the petroleum for the next century’ (Goldman Sachs) or ‘the water market will soon eclipse oil, agriculture, and precious metals’ (Citigroup) drive this new investment fever. ‘In April 2008, Allianz SE launched the Allianz RCM Global Water Fund which invests in equity securities of water-related companies worldwide, emphasizing long-term capital appreciation’ (Yang 2012). As confirmed by Varghese, ‘in areas ranging from the Ogallala aquifer to the Great Lakes in North America, water has been referred to as liquid gold’ (Varghese 2013). Unsurprisingly, a report by the World Economic Forum ‘also describes private investors buying water sources to re-sell at a profit as “innovative investments”’ (Hall and Lobina 2009: 6). Private equity funds are playing an increasingly dominant role in the British water sector. ‘Of the 10 large water and sewerage companies, four – Anglian, Southern, Thames and Yorkshire – are already owned by private equity or financial groups. Three large companies are still part of groups quoted on the London stock exchange – Severn Trent, South West and United Utilities: of these, Pennon Group, owners of South-West Water, is 46% owned by 6 major financial shareholders’ (Hall and Lobina 2012: 20). As Swyngedouw points out, ‘this privatization of the commons through a strategy of “accumulation by dispossession” became increasingly central to accumulation dynamics as the standard routes of restructuring of existing capitalist-economic processes and investments in new products were no longer sufficient to absorb the ballooning volume of capital in search of profitable investment avenues’ (Swyngedouw 2005: 87).

The argument for the privatisation of water follows neo-liberal lines of argument. ‘Proponents of privatization assert that private companies will perform better: they will be more efficient, provide more finance, and mobilize higher-quality expertise than their

government counterparts' (Bakker 2010: 2). Privatising public services, and thereby submitting service provision to the competitive pressures of the free market, would, in other words, result in four benign consequences: (1) the production of services becomes more efficient and, therefore, cheaper; (2) the quality of the services is improved; (3) the cost of services for the consumer is reduced; and (4) companies providing these services can still make a profit. This argument is combined with a general mistrust of the state, considered to be 'unable to deliver the infrastructure needs of its people, due to inefficiency and corruption' (Robbins 2003: 1074). And yet, private water companies' service record is poor. As Emanuele Lobina points out, 'the reality is private contracts and commercial law shield private water corporations from nearly all risk, meaning they have no incentive to behave efficiently (Lobina 2014: 4). In fact, the long-term costs for communities are high, including 'soaring tariffs, cuts on investments, poor service quality, and the failure of private water corporations to contribute investment finance' (Lobina 2014: 10). In the UK, for example, prices have increased by 50 per cent since privatisation. Privatisation does not deliver in relation to competition either. 'In both France and Italy competition authorities have condemned the private companies for uncompetitive behaviour. In France, Suez and Veolia were ordered to break up a series of "joint ventures" which they had formed in order to share contracts rather than compete against each other' (EPSU 2012b: 4). Overall, rather than improving services 'international evidence shows that the private water industry's profit-maximization imperative leads to underperformance and under-investment in many ... countries' (Lobina 2014: 15).

Thus, within the structural dynamics of the capitalist social relations of production, companies are driven towards profit maximisation at the expense of other objectives. Price increases and cost cutting by making workers redundant are two ways of increasing profits. Another key strategy is leveraging debt. As Aditya Chakraborty reported in the Guardian,

between 2007 and 2012 there was only one year in which the consortium of shareholders of Thames Water in the UK took out less money of the company than it had made in post-tax profits, thereby doubling the company's debt to £7.8bn (Chakraborty 2014). A further way of increasing profits is transfer pricing. 'This practice consists of inflating operating subsidiaries' payments to the parent corporation as a way of increasing profits, because the subsidiaries' deficits are then compensated by rate increases of public subsidies and so such deficits constitute a net gain for shareholders' (Lobina 2014: 12). And profits are not only made through an increase in prices, a decrease in infrastructure investment and a reduction in workers' pay and working conditions. When it comes to maintenance work of infrastructure, these lucrative contracts are often awarded to companies linked to members of the public-private water consortium (Interview No.10; Bakker 2010: 92). In Paris prior to re-municipalisation in 2010, Suez and Veolia had 'subcontracted works and maintenance to subsidiaries of the same groups, so that the parent companies could realise additional profits' (Lobina, Kishimoto and Petitjean 2014: 7). And should TNCs be in danger of incurring losses, be it as the result of economic crisis, be it due to a change in state policy, controversial investor-state dispute settlement mechanisms allow them to recuperate their profits. 'Argentina has faced compensation claims for over USD 20 billion, following the impact of its economic crisis in 2001 on the viability of numerous water and electricity privatisations' (Hall 2006: 184; see also Hoedeman, Kishimoto and Pigeon 2012: 108).

In turn, as soon as water services become re-municipalised, former profits can be distributed differently. After the re-municipalisation of water in Paris in 2010, 'Eau de Paris saved the city about €35 million with the shift to public ownership, leading to a reduction of water tariffs by 8% compared to 2009' (Pigeon 2012: 25). When analysing a whole range of re-municipalisation cases, McDonald concludes that 'in each case the remunicipalised entity offered more equitable, more transparent and more efficient services than the private sector

provider that preceded it, with a higher quality of service and with better long-term sustainability' (McDonald 2012: 13). Moreover, re-municipalisation tends to result in a shift towards broader social and political objectives as well as improved staff morale. The fact that water privatisation has such a dubious record indicates that the issue is not about finding the best way of how to deliver water to as many people as possible. Rather, these contestations are an expression of class struggle with capital doing everything possible to maximise its profits by treating water as a commodity, a product for sale to those who can afford it.

At the European level, further pressure towards privatisation has resulted from the global financial crisis since 2007/2008 and the closely related Eurozone crisis from 2010 onwards. Indebted peripheral countries of the EU and here especially Greece, Ireland and Portugal were bailed out by the Troika of Commission, European Central Bank (ECB) and IMF in exchange for imposed restructuring including labour market deregulation, cutting of public sector employment as well as privatisation of public companies (Lapavitsas et al 2012). Water privatisation has been pushed especially vis-à-vis Greece and Portugal (EPSU 2012b: 1; Hall and Lobina 2012: 28). Italy too came under pressure in the second half of 2011. In August 2011 Jean-Claude Trichet, the then President of the ECB, and Mario Draghi, who succeeded him in November 2011, urged “the full liberalisation of local public services ... through large scale privatisations”, ignoring the fact that 95.5 per cent of Italian voters had rejected the privatisation of local water services in a valid national referendum less than eight weeks earlier' (Erne 2012: 229). The Berlusconi government collapsed in November 2011 and was replaced by a technocratic government led by the former central banker Mario Monti. Evaluating the Monti government's reform proposals, the European Commission added further pressure re water privatisation and liberalisation in a report for the Eurogroup on 29 November 2011. It 'argued that Italy was not doing enough and additional measures were needed. One of these structural reform measures is that Italy needs “enhancing

competition in key network industries ...; other sectors, such as telecommunications, postal services, water and transport, are also significantly shielded from full competition pressures' (EPSU 2012a; see also Goudriaan 2012).

Powerful economic interests are behind the push for privatisation in the EU. On the basis of their structural power, large European TNCs have lobbied strongly for neo-liberal restructuring. The revival of European integration since the mid-1980s has been based on close co-operation between the Commission and transnational capital. Especially lobbying groups in the services industry have become increasingly stronger over the last decade. The European Services Forum (ESF) has been closely involved in advising the Commission on further liberalisation and privatisation of the public sector. 'In 2012, the Commission accepted just one meeting with trade unions on the issue of services trade. In contrast, it met more than 20 times with the ESF' (Corporate Europe Observatory 2013: 5). Water management, too, has developed into big business with powerful transnational corporations controlling most of the privatised operations. 'The private water sector is dominated globally by two French multinationals, Suez and Veolia, who hold over two-thirds of global private water operations' (Hall 2006: 179). They lobby hard and apply their structural power on governments to achieve privatisation policies (Ciervo 2010: 17). In October 2005, Aquafed was established, a lobbying group representing mainly the interests of Suez, Veolia and their various subsidiaries with a specific focus on EU policy-making (Hall and Hoedeman 2006).

Although neo-liberalism officially advocates a retreat of the state from the market, in reality governments are closely involved in privatisation processes. 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). These processes are, of course, contested and, thus, unsurprisingly the imposition of restructuring as a result of the crisis came hand in hand with

an increasing move towards ‘authoritarian neo-liberalism’. Authoritarianism here does not refer to an order imposed by non-democratic means and brute force. Rather, it ‘can also be observed in the reconfiguring of state and institutional power in an attempt to insulate certain policies and institutional practices from social and political dissent’ (Bruff 2014: 115), a reconfiguration which is generally passed by national parliaments within political systems of representative democracy and be it by narrow majorities. As it has become increasingly difficult to garner popular support for austerity, insulating neo-liberal restructuring from popular accountability has become an important way of continuing the dominant order. In peripheral countries, the Troika together with parliamentary elites has controlled state budgets from the outside and thus monitored closely state policy-making. Nevertheless, it has not only been vis-à-vis peripheral countries that increasingly authoritarian neo-liberal governance mechanisms have been applied. The economic governance system of the EU as a whole has been restructured along authoritarian lines. First, most EU countries signed the Treaty on Stability, Coordination and Governance, also referred to as Fiscal Compact, in EMU that is formally not part of EU law, but *inter alia* made the access to further European rescue packages conditional upon the inclusion of severe debt brakes in national law. Second, all EU member state governments and a large majority of the European Parliament adopted the so-called ‘six pack’ of EU laws on European Economic Governance of November 2011 and the ‘two pack’ on the strengthening of economic and budgetary surveillance of Member States of May 2013 (Bieler and Erne 2014: 159-61). As a result, Eurozone countries with ‘excessive deficits’ or ‘excessive macroeconomic imbalances’ can be sanctioned by the European Commission with a yearly fine equalling 0.2 per cent or 0.1 per cent of GDP respectively (Erne 2012: 228). The crisis has clearly been used by capital to roll back the state and extend the marketization of essential public services. Rather than a problem, the crisis has provided capital with an opportunity to press for further privatisation, which had

been impossible at a time of economic growth and stability. As Olivier Hoedeman from Corporate Europe Observatory concludes, ‘the EU’s response to the crisis fits hand in glove with the corporate agenda of these lobby groups. The Commission’s use of its new economic governance powers will reshape societies in exactly the way that these lobby groups have demanded for many years’ (Hoedeman 2012: 7).

It is this structural pressure towards further privatisation of public services in general, including also water services in particular, in times of a severe global economic crisis, which provides the background, the structural setting for the ECI ‘Water is a Human Right’. The next section will discuss details of the campaign, before the ECI is subsequently placed within the broader struggles.

The European Citizens Initiative ‘Water is a Human Right’

Even before the ECI tool had been formally approved at the EU level, EPSU had already taken the decision to launch an ECI at its Congress in 2009. When the EU had finally formally established the ECI as a new tool of popular participation in EU policy-making in 2012, part of the Lisbon Treaty in 2007, EPSU moved fast and submitted its request to organise an ECI. Three key objectives were stated at the launch in May 2012: ‘(1) The EU institutions and Member States be obliged to ensure that all inhabitants enjoy the right to water and sanitation; (2) water supply and management of water resources not be subject to ‘internal market rules’ and that water services are excluded from liberalisation; and (3) the EU increases its efforts to achieve universal access to water and sanitation’ (<http://www.right2water.eu/>; accessed 12/12/2014). The start of the campaign had been slow, also due to technical problems with the online signature platforms organised by the Commission resulting in a six-months extension of the time to collect signatures for all early ECIs, but eventually the campaign went well beyond the required 1 million signatures. It also

had no problems to reach the quotas for the minimum of seven required EU member states within the original timetable of 12 months. In the end, the quota was reached in 13 countries including Austria, Belgium, Finland, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, the Netherlands, Slovakia, Slovenia and Spain. Germany stood out as the country with the most signatures. 1,341,061 signatures were collected, of which 1,236,455 were considered valid (see http://www.right2water.eu/sites/water/files/table%20number%20valid%20signatures_21.pdf; accessed 12/12/2014). In this section, I will explore the alliance internal tensions as well as the variety of success in the various national campaigns, before the subsequent section analyses the reasons for why the campaign was so successful.

Tensions inside the movement

It would have been surprising, if there had been no tensions inside the movement. This is quite common considering the different constitution of trade unions and their internal representative democracy structure as well as high levels of bureaucratisation on the one hand, and more flexible, but often also ad hoc social movements on the other (Bieler and Morton 2004). As in other attempts at co-operation, social movements have sometimes had exaggerated expectations what unions can deliver in terms of finance, but also their flexibility of taking decisions quickly, trade unionists argue (Interview No.18). Perhaps, social movements just want trade unions' resources and credibility for their own campaign (Interview No.15)? In turn, some social movements feel that trade unions have imposed the ECI on the wider movement without enough possibilities of others to participate in the formulation of the ECI as well as the devising of the strategy. For example, a representative of the Berliner Wassertisch stated that the wording of the ECI was drafted by EPSU together with the German service sector union ver.di and that it had been made clear that this was not

negotiable. Some regret was expressed that in contrast to the initiative by the World Water Contract movement (see below), the EPSU text did not include a concrete legislative proposal (Interview No.20). From within the Italian water movement, some felt that the ECI had been imposed on them from the outside by EPSU and its local affiliate Funzione Pubblica-CGIL (Interview No.14). This is to some extent a classical expression of social movements' experience and fear that trade unions often want to be in charge of those initiatives, they are participating in, rather than operating together as equals.

Moreover, two ECIs with a focus on water were initially discussed at the European level. The one organised by EPSU and one discussed by the World Water Contract movement. In the end, it was decided to go first with the EPSU initiative and not to split forces in two parallel campaigns. Nevertheless, some had also more contents related reasons for why they preferred the EPSU initiative. As a representative from the German environmental NGO Grüne Liga pointed out, the World Water Contract movement interprets the human right to water in a way which implies that water should be free. By contrast, however, this interviewee argued that the cost of water and the protection of the environment should be covered by the price. What must not be possible is the making of profit with water (Interview No.22). These tensions over the price, the cost of water also played a role inside the ECI. Some argued that access to water should be free and the supply of this water should be the responsibility of public companies. In Belgium, for example, every citizen has the right to access a certain amount of water for free. Others, however, pointed out that the guarantee of universal access to water was state responsibility and that water as such had to have a price (Interview No.17). This issue represented especially a problem for the German Allianz der öffentlichen Wasserwirtschaft (Alliance of Public Water Economy; AöW), which represents public water companies, which rely on payments to ensure the successful running of the service. The additional idea that a kind of 'development penny' could be part of water

charges was even considered to be unconstitutional in Germany (Interview No.21). Nevertheless, because this was an issue also at the European level, the decision within the campaign was that both ways of providing water and, thus, guaranteeing the human right to water were acceptable. It was deemed to be important that the ECI addressed different aspects to cover a broad range of countries (Interview No.17).²

Some public companies in Germany, moreover, objected to any kind of regulation by Brussels of German local government and its legal right to independent administration ('Kommunales Selbstverwaltungsrecht'). Although there was opposition to privatisation amongst public employers beyond the AöW, these sections were not an official member of the German ECI campaign, because in principle they would also object to a guideline from Brussels stating that 'you must not privatise water'. This would ultimately be a question of local struggles and not something which should be decided at the European level at all. Finally, there were some concerns about raising benchmarking as an objective, as this was a dangerous discourse at the European level, potentially used by the Commission for a system of comparing services purely on the basis of price (Interview No.21). Ultimately, however, these were tensions more related to the 18 broader objectives of the campaign (see <http://www.right2water.eu/node/37/view>; accessed 12/12/2014). There was a clear consensus on the three main objectives stated in the ECI itself and this was also an important starting-point for the successful campaign.

Variety of success of various national campaigns

The way ECIs are set up around obtaining national quotas of signatures implies that campaigns, while co-ordinated in Brussels, have to be organised at national level.

² Moreover, a third acceptable alternative to guarantee the right to water would be the Irish solution, in which water is financed through taxation (Interview No.15).

Unsurprisingly, the success of the ECI was not equal across all EU countries. It was in Germany that most of the signatures were collected. This was related to the perceived impact of the concessions directive on the German water industry. While the ECI was ongoing, the Commission had also published the draft concessions directive, liberalising water services and forcing public entities to tender contracts openly across the EU. Liberalisation does not automatically imply privatisation. It is only when a municipality decides not to provide water services in-house any longer, but charges a private company or a private-public consortium with the task that the contract has to be offered to all potential companies in the EU through an open tender process (Interview No.15). Considering the complex procedures and capital and technology intensiveness of such public tendering, it would have been inevitable that these contracts would have been snapped up by large, private TNCs such as Veolia and Suez. In other words, liberalisation of water as part of the concessions directive would, for example, have implied privatisation of the many public water providers across Germany (Interview No.17). Making the link between the ECI and the concessions directive proved to be crucial for the high number of signatures. Moreover, there was a tightly organised campaign around the services trade union ver.di, supported by the German trade union confederation DGB, together with a whole range of local water movements such as the Berliner Wassertisch, the Wasser Allianz Augsburg, the Working Group Water and Privatisation of Attac München and the NGO WasserInBürgerhand, environmental movements such as the BUND, the Grüne Liga and the feminist group EcoMujer, as well as development NGOs including the Forum Umwelt und Entwicklung (Interview No.20; Interview No.21; Interview No.22). Especially the organisational structure of ver.di in the various districts across the whole country proved vital for the local presence of the campaign. In the end, however, the possibility to sign on the internet proved to be crucial. Around 80 per cent of all German signatures were online signatures. This possibility obtained additional

importance through crucial media presence, be it a discussion of water privatisation in the investigative programme Monitor in December 2012 (<https://www.youtube.com/watch?v=wYqYTtkE4Ds>; accessed 12/12/2014), be it the picking up of the campaign and portraying of the internet address in the comedy show ‘Neues aus der Anstalt’ in January 2013 (<https://www.youtube.com/watch?v=gBg5AY5rfvQ>; accessed 12/12/2014) or the coverage in the ZDF heute show in February 2013 (<https://www.youtube.com/watch?v=3EtyYKXDvYQ>; accessed 12/12/2014).

Nevertheless, the fact that a large part of signatures was collected in Germany should not make one overlook that the campaign had been successful across the EU. In both Lithuania and Slovenia most of the signatures were also collected online. The Lithuanian campaign, led by the Lithuanian Industry Trade Unions’ Federation, had very good links with the media providing space on a number of occasions for campaign leaders to state their case. The media provided even live coverage of a boat race organised to celebrate the World Water Day on 22 March 2013. The support by the National Library of Lithuania was also significant, as it provides internet access for many citizens. Parallel to the ECI, the law on water management was amended and with effect of 1 November 2014, this law prohibits both water privatisation and the transfer of concessions for drinking water supply. The law also specifies that people should pay no more than 4 per cent of family income as a maximum for water (Interview No.23). In turn, Facebook proved crucial in Slovenia. Led by the Trade Union of Energy Sector Workers, the campaign succeeded at convincing politicians, artists, theatre stars and a famous Slovenia rock group, whose song ‘Water’ was used for the campaign, to accept that they post supporting material on their facebook sites (Interview No.24). In Italy the water movement had already successfully collected signatures on a number of occasions. For the referendum against water privatisation in 2011, for example, 1.4 million signatures had been collected. When it came to collecting yet again signatures in

relation to the theme of water, the Italian alliance of trade unions and social movements indicated a degree of tiredness with this particular way of organising opposition as well as disillusion with the lack of positive impact by the successful Italian referendum in June 2011 (Interview No.5; Interview No.9; Interview No.10; see also Bieler forthcoming). They still managed to reach the national quota with 65223 validated signatures, but this is a comparatively small number in comparison with past collections. Other countries did not meet the national quota. In France, for example, trade unions were lukewarm towards the initiative, as the company trade unions of Suez and Veolia did not want to campaign against ‘their’ companies. From a narrower trade union perspective, they argued that it was their task to focus on salaries and working conditions of their members. Whether the company itself was private or public would be a secondary issue (Interview No.1). And even the fact that water services had been remunicipalised in Paris in 2010 did not encourage a broader signature collection campaign (Interview No.17). In the UK too, the ECI did not pick up much support. No trade union had been willing to make water one of their key campaigns, which may at least partly have been due to the fact that there were ongoing struggles against so many other attacks on the public sector (Interview No.15). On the other hand, the close link to the concessions directive also ensured in Austria a successful campaign similar to Germany (Interview No.19). Of course, specific national events also proved decisive in some instances. When the mayor of the Hungarian town of Ózd decided on 2 August 2013 in the middle of a heat wave that it had become too expensive to supply 88 roadside pumps in poorer parts of the city with a large Roma population, the right to water was directly threatened (EPSU 2013b). In response, it was Roma groups in Hungary, which strongly mobilised for the ECI and ensured that the national quota of signatures was met (Interview No.17). In Belgium, trade unions used the ECI also as a recruitment and organising campaign with shop stewards collecting signatures by approaching colleagues in the workplace.

Belgium was one of the first countries, which fulfilled the required national quota, mainly through paper signatures reflecting the direct collection by union activists (Interview No.15).

Key reasons for why the campaign was successful

In this section, three key reasons for the success of the campaign are discussed: (1) the long history of water struggles preceding the ECI; (2) the special quality of water; and (3) the broad alliance of trade unions and social movements present at both the European as well as various national levels.

Long history of water struggles

The ECI did not emerge out of the blue. Since the increasing push for the privatisation of water services from the early 1990s onwards, struggles over water had erupted around the world. Most well-known is the so-called water war of Cochabamba. When water services were privatised in the Bolivian city, ‘one clause of the contract guaranteed a profit of 15 percent to the consortium; another indexed the profit rate to foreign currency exchange rates, as a protection against devaluation of the Bolivian currency’ (Bakker 2010: 166). Price hikes of 200 per cent or more were the result. Local resistance erupted and when peaceful protesters were met by police and soldiers, violent clashes ensued with one 17 year old protester being killed. Eventually, in April 2000 the Bolivian government revoked the concession to Aguas del Tunari, a consortium around the US construction giant Bechtel (Lobina 2000).

The successful resistance against this imposition of super profits at expense of the people is widely known. Less well known is that opposition in Europe by EPSU in co-operation with other actors started to form in 1996. As a European federation, EPSU had already been involved in struggles against water privatisation. From 1993/1994 onwards,

water privatisation was strongly pushed in Central and Eastern Europe and EPSU had been closely involved on a number of occasions. First battles against privatisation took place in 1993/1994. There were successes in Vilnius and Wosz, to some extent in Hungary, but resistance had been too late in the Czech Republic (Interview No.15). The Reclaiming Public Water Network (see <http://www.tni.org/network/reclaiming-public-water-network>; accessed 14/12/2014) was a key actor in this respect. It was established at the end of the 1990s with EPSU and the Public Services International (PSI) as well as Canadian trade unions including the large Canadian Union of Public Employees amongst its members (Interview No.15). The second World Water Forum at The Hague in 2000 gave progressive groups an opportunity to make themselves heard publicly (Interview No.1; see also Bakker 2010: 1). As the official organisers were worried about a potential counter-demonstration by trade unions, considering that the Dutch queen was going to be at the event and the Dutch crown prince would open it, critics were granted a whole range of concessions including a delegation during crucial discussions as well as space for organising their own seminars. The critical side included many groups from Latin America as well as the more radical unions from South Africa and Uruguay (Interview No.15). As a next step, also inspired by the success of the first European Social Forum in Firenze in November 2002, the water movement organised the first Alternative World Water Forum in Firenze in 2003 (Interview No.3; Interview No.5; Interview No.9). It was intended to provide opposition to the official World Water Forum and its emphasis on public-private partnerships for the organisation of water distribution. The World Water Forum is organised by the World Water Council, which is accused of being ‘a mouthpiece for transnational companies and the World Bank’ (<http://www.fame2012.org/en/>; accessed 17/06/2014). The objective of the Alternative Forum is ultimately to de-marketise water and to democratize the government of water as a resource (Interview No.9). A first major success was the adoption of a resolution by the UN in 2010 recognising water as a

human right (Interview No.14), sponsored by several governments from the Global South and here in particular Bolivia (Interview No.9; Fattori 2013a).

At the European level, the push for water privatisation continued. In 2002, the services directive was introduced and Commissioner Bolkestein had initially intended to push for structural reform through water liberalisation. EPSU's intervention, together with others, blocked this. Then, there was the attempt to liberalise water through the public procurement route in 2003/2004, but it was defeated in the EP (Interview No.15). These developments made clear that wider mobilisation was required. Hence, the European water movement was launched at the ESF in Malmo in 2008. And while it took until the Firenze 10+10 meeting in 2012 that this movement became fully functional, it was at Malmo that EPSU together with several of its affiliated unions reflected in a pre-meeting on possible further campaigns drawing on their experiences in local struggles. It was at this meeting that the idea of an ECI was raised as an option for the first time (Interview No.15).

Importantly, without ongoing struggles at the national level, the formation of a European network would have been without a basis and the ECI ultimately without the necessary activists to carry it out. Battles of re-municipalisation had been raging for some time in Europe. Water was first re-municipalised in the French city of Grenoble in 2000 (Avrillier 2005). The same occurred in Paris in 2010, followed by the re-municipalisation of water in Berlin in 2013 (Lobina, Kishimoto and Petitjean 2014: 7-8). Equally, resistance against water privatisation had started in the Italian cities of Arezzo, Firenze and Aprilia in the late 1990s, early 2000s in response to drastic price increases after public companies had been turned into public-private partnerships (Interview No.8; Interview No.11). Together with international developments around the first Alternative World Water Forum in Firenze in 2003, these local struggles had paved the way towards the establishment of the Italian Water Movements Forum in 2006 and the eventual successful country-wide referendum

against water privatisation in June 2011 (Bieler forthcoming). In Germany, co-operation in struggles against water liberalisation at the national level goes back to 2000. The establishment of the network Unser Wasser included already back then trade unions and environmental NGOs (Interview No.18; Interview No.22). In short, the ECI has ultimately been the coming together of different struggles from local, national and global level, concretised in a European-level effort by EPSU co-ordinating various national campaigns.

The unique quality of water

The theme of water has significant symbolic power with water being understood as a fundamental source of life and, therefore, as a human right, reflected in the very title of the ECI. This discourse, for example, resonated with the Catholic Social Doctrine, ensuring strong support from Catholic groups in the Italian referendum against water privatisation in June 2011. It helped to consolidate ‘a broad popular consensus over the principles of social justice and universality that should inspire water management’ (Fantini 2014: 37). The three broad objectives of the ECI incorporated well these various dimensions of the symbolic power of water, with different concerns being of more importance in different countries and for different types of movement partners. For example, in Germany the opposition to the liberalisation of water services, Point 2 of the ECI, was crucial and directly linked to the ongoing discussions around the concessions directive (see above). Especially the AöW, organising public, often small-scale water providers in Germany, made this link between the ECI and the draft concessions directive (Interview No.21). Nevertheless, while the concessions directive was of equal concern for Austria, the issue of water as a human right was more prominent in the Dutch campaign (Interview No.17). Equally, different groups were inspired by different objectives. For catholic groups, universal access to water and sanitation, demanded in Point 1 of the ECI, proved important as an issue of social justice in

the Italian context (Fantini 2014: 37), while Point 3 about the EU pushing for water as a human right globally was relevant for development NGOs such as the Comitato Italiano Contratto Mondiale sull'Acqua (CICMA) in Italy, which is part of the World Water Contract movement (Interview No.14), or German groups such as the Forum Umwelt und Entwicklung (<http://www.forumue.de/>) or the church related organisation Brot für die Welt, arguing that Europe had a responsibility for the whole world (Interview No.21; Interview No.22). Environmental groups including, for example, the Italian Legambiente (Interview No.10) or the German Grüne Liga equally participated, because when water becomes privatised and the sector is dominated by the profit motive, the protection of the environment generally comes second, it was argued (Interview No.22).

Importantly, the campaign on purpose excluded close connections to political parties. In Italy, the water movement had consciously decided not to portray the 2011 referendum as a left-wing campaign, but to provide it with a broad appeal. Hence, political parties were relegated to a secondary, supportive committee (Interview No.5). They were not allowed to play a central role. Some basic principles such as anti-fascism and anti-racism were formulated as preconditions for participation, but otherwise all groups from whatever political orientation were welcomed (Interview No.2). In the referendum itself, many supporters of centre-right parties had also opposed water privatisation. In Germany too as well as the European level, political parties were not officially part of the movement in order to ensure the broadest possible support (Interview No.18). There were, of course, contacts with MPs from the Left Party and the Greens in Germany, but the alliance overall did not want any of the political parties to dominate the campaign and make it into an electoral tool (Interview No.19). Water is clearly an issue beyond political party divisions.

Broad alliance of actors at European as well as national level

The fact that the ECI had been based on and supported by a broad alliance of trade unions, social movements and NGOs was also crucial. While trade unions were concerned about the implications for workers' salaries and working conditions, should water be privatised, social movements worried about the potential implications for consumers in the form of higher water prices and some people being cut off in case they are unable to pay. Environmental movements, in turn, feared for the negative impact on the environment, once profit maximisation determined water services, and development NGOs were concerned about access to water in developing countries. In short, the struggle for water as a human right and against privatisation is precisely a struggle taking place in the wider social factory, being directed against the exploitation in the sphere of social reproduction, mentioned in the introduction. At the European level, it was EPSU, which initiated the campaign and also sustained it with its administrative and financial resources. It formed a European level alliance together with other organisations such as the European Environmental Bureau (EEB), the European Anti Poverty Network (EAPN) and the Social Platform (see <http://www.right2water.eu/who-we-are-organizations>; accessed 12/12/2014; see also Fattori 2013a). Although all organisations encouraged their national members to participate in the organisation of signature collections, EPSU had been the leading organisation co-ordinating and holding the campaign together (Interview No.22). Its organisational structure bringing together representatives of its national federations in the organising committee provided the crucial backbone and leadership of the campaign at the European level (Interview No.15). For example, when the unions organising workers in the water sector in Lithuania and Slovenia struggled to collect signatures, the energy federations in both countries, also EPSU members, stepped in and led the national campaigns (Interview No.23; Interview No.24). EPSU's broad coverage of public services and utilities facilitated this strategic move. Even

more important, however, than the European-level alliance were the various alliances of unions and social movements at the national level. National quotas had to be reached and the collection of signatures, therefore, had to be organised at the national level. From 2000 to 2003, EPSU had organised a successful European level alliance of trade unions and green and social movements and NGOs in opposition to new public procurement directives and the related attack on public sectors across the EU. At the time, however, this alliance had been unable to establish similar alliances at the various national levels (Bieler 2011). This time round, it was different. All the successful campaigns were based on strong national alliances such as the one around ver.di in Germany or the water forum in Italy. The ECI, in short, was also so successful, because it had been possible to connect the European alliance with local and national campaigns.

Evaluating the ECI

There is some disagreement over the extent to which a human rights approach can help to counter neo-liberalism. Bakker, while accepting that a focus on human rights may be a good strategy, considers it to be rather individualistic and thus not conducive to a more collective response to privatisation (Bakker 2010: 13 and 158-9). ‘Pursuing a human rights framework as an antiprivatization campaign thus makes three strategic errors: conflating human rights and property rights, failing to concretely connect human rights with different service-delivery models, and thereby failing to foreclose the possibility of increasing private-sector involvement in water supply’ (Bakker 2010: 152). Linton, by contrast, does regard it as part of a hydrosocial cycle, directly opposed to neo-liberalism and, thus, part of a collective response towards a community based alternative. ‘Rather than an “empty signifier”, the right to water can thus be regarded as internally related to the political struggle against neoliberalism’ (Linton 2013: 117) and, thus, as a potential part of broader transformative

politics, as a novel discursive terrain with the potential to resist TNCs. The fact that the ECI was successful precisely at a time of increasing austerity pressures is not only testimony to its enormous success, but also indicates its fundamental, counter – neo-liberal dynamic. It also needs to be remembered that an ECI has to be formulated in a way that it is within the competency of the Commission to act. The campaign organisers would have preferred to rally around a slogan such as ‘Keep water public’ or even ‘Return water into public hands’, but the result would simply have been that the request for an ECI would have been denied (Interview No.15). Finally, the second objective of the ECI clearly goes against neo-liberal restructuring of water and, thus, includes a transformative dimension, it can be argued.

On 17 February 2014, hearings of the ECI took place with the Commission and with the European Parliament. While the Commission representatives mainly asked questions during their hearing, the meeting with the EP was deemed more successful. The hearing was four hours long and 60 MEPs, mainly from the environmental but also from some other committees, were present with most of them talking at some stage. Campaigners felt that the EP hearing had been a good conclusion to the campaign (Interview No.17). The response by the Commission, delivered on 19 March 2014, however, was a disappointment. It argued that it would not introduce water as a human right into EU legislation, as the Commission was not responsible for this. This was a matter of national level legislation. Similarly, while the Commission confirmed that it would not pursue further the liberalisation of water, this too was not backed up by EU legislation. Instead, it declared that it had to remain neutral vis-à-vis national decision-making in the water industry. As a response by the AöW makes clear, however, the Commission had not observed this neutrality in relation to EU crisis countries (AöW 2014: 2), having pushed for further liberalisation and privatisation in Greece, Portugal and Italy. The Commission, moreover, announced that it intended to hold a consultation on drinking water, something they could have done even without the ECI and which does not

really address the main objectives of the ECI (Conrad 2014b). The Commission did not promise a general change in foreign policy in relation to pushing water as a human right in its dealings with other countries around the world either (Interview No.17). Observers also note that there is still an emphasis on market conformity in Commission statements (Interview No.19). Finally, the AöW raised some concerns about a potential attack by the Commission on small public water companies under the pretext of poor water quality (AöW 2014: 1-2).

And yet, some success of the ECI can be noted. Especially in Germany and Austria, the concessions directive, negotiated in parallel to the ECI and ultimately closely related to the latter's opposition to the privatisation of water, had become a crucial point for the mobilisation of opposition. As a result of water as part of the concessions directive, it was argued, the danger was that the quality of water would deteriorate, access to water made more difficult, the working conditions for employees worsened and the prices for consumers increased (Falk 2013). Initially, opposition to the concessions directive had remained without success. Nevertheless, when the ECI had reached one million signatures in February 2013 and it became clear that it may actually be successful, Commissioner Barnier, responsible for the concessions directive, went to Berlin and discussed with the German Chancellor Angela Merkel an exception for the German water economy. When it then became clear that this would create even more difficulties for the directive, water was excluded from the concessions directive (Conrad 2014a: 35). 'In short, the ECI on water [had] already achieved a significant political result and an extraordinary victory even before it formally arrives on the Commission's desk' (Fattori 2013a; see also EPSU 2013a). This success is also noticeable considering the heavy lobbying pressure by the private water industry on the Commission, expressing their disappointment about the exclusion of water considered to make up for half of the concessions within the EU and rejecting the link made between the ECI and the concessions directive (AquaFed 2013). Moreover, as one interviewee pointed

out, the ECI had changed the public discourse on water. Arguments about the importance of keeping water in public hands would no longer be laughed at or belittled. Prior to the 2013 national elections, all German parties committed themselves to retain water in public hands and this issue also featured in the coalition negotiations between the Christian Democrats and the Social Democrats (Interview No.21). At the European level, the ECI campaign lobbied hard the candidates for the new President of the Commission in 2014 and four out of five committed themselves to implementing the human right to water if elected (EPSU 2014c). Finally, the ECI has successfully established links of transnational solidarity. Of course, the individual campaigns of collecting signatures had to be organised at the national level. Nevertheless, working on the same campaign simultaneously established links across borders, which in turn facilitated international support for local campaigns such as the struggle against water privatisation in the Greek city of Thessaloniki (see below).

Will this success of the ECI be enough to ensure that water remains permanently outside the market? As observers point out, a review clause has been included in the directive, which could imply that this decision is revoked in five years' time (AöW 2014: 2). Moreover, the 'Commission's Communication makes no commitment to explicitly exclude these services from trade negotiations such as the Transatlantic Trade and Investment Partnership (TTIP)' (EPSU 2014b). Even more broadly, does this success represent a first step towards reversing neo-liberalism in the EU more generally? The conclusion will reflect on these issues.

By way of conclusion: broader evaluation of ECI

While the ECI has been successfully completed, the struggles against water privatisation are ongoing. Significantly, while witnessing the hearing of the ECI in the EP through a video link, activists from the Thessaloniki citizens' movement against water privatisation decided

to hold their own, independent referendum about the privatisation of the water services in their city on 18 May 2014. EPSU, the Italian water movement as well as others from the European water movement sent monitors in support (Interview No.1; Interview No.6; Interview No.14). After a large turn-out and significant rejection of privatisation in this unofficial referendum with 98 per cent of those who voted opposed to privatisation, the pressure on the Greek government mounted not to privatise. In the end, it decided to put a stop to the privatisation of water services in both Thessaloniki and Athens (Macropolis, 02/07/2014; <http://www.macropolis.gr/?i=portal.en.economy.1331>). In the Spanish town of Alcazar de San Juan, mass mobilization of citizens resulted in the collection of 11000 signatures and an occupation of the city council, opposing and eventually stopping the privatisation of the city's water services in February 2014 (EPSU 2014a). In Ireland too, resistance has recently been mobilising against the imposition of new water charges by the Irish government together with the Troika (Fallon 2014). 'More than 150.000 people mobilized the 1st of November all over Ireland against water charges, following months of protests and resistance' (European Water Movement 2014). In general, people are no longer simply accepting the imposition of water privatisation and there is a continuing push for re-municipalisation. 'In the last 15 years there have been at least 180 cases of water re-municipalisation in 35 countries' (Lobina, Kishimoto and Petitjean 2014: 3).

At the European level too, the alliance behind the ECI and here in particular EPSU and some of its affiliates pursue the issue of water further within the EU institutional set-up. In October 2014, the European Economic and Social Committee (EcoSoc) of the EU adopted by a large majority a supportive statement, in which the Commission was asked to implement the ECI's demands urging the Commission 'to propose legislation establishing access to water and sanitation as a human right as set out by the United Nations' (EcoSoc 2014: 3). Additionally, it was demanded that access to water and sanitation are excluded 'permanently

from the commercial rules of the internal market by proposing that they be reclassified as a service of non-economic general interest' (EcoSoc 2014: 6-7). Moreover, the co-ordinators of the EP's environmental committee have decided in September 2014 to work on an initiative report as follow-up to the ECI, to which the Commission will have to present yet again a position. Finally, the idea of qualitative bench marking has been picked up by the Commission in its current multi-stakeholder dialogue (Interview No.17).

The danger of this focus on EU institutions is, however, that it is overlooked that the strategic selectivity of the EU form of state is heavily skewed towards the interests of transnational capital and the way they enjoy privileged access to the key Commission Directorates responsible for Competition, Internal Market, and Economics and Finances, while trade unions, social movements and NGOs are generally side-lined (Bieler 2006: 179-82). An exclusive emphasis on EU institutions is in danger of forgetting that the liberal constitutional model facilitates the continuous enclosure of popular sovereignty. 'There can be no constituent effort, nor liberation from corporate greed, outside of a radical critique of property rights, which is capable of going beyond the public-private dichotomy and of elaborating a genuine institutional structure for collective agency outside of parliamentary democracy' (Mattei 2013: 375). Moreover, while the national campaigns around the ECI were often successfully used as a tool of wider mobilisation, focusing on policy-making within the EU institutional set-up is likely to develop into an elite affair risking to become delinked from the broader campaign. The danger is that an exclusive focus on EU institutions will result in a demobilisation of forces, which are no longer needed for that process. In other words, a focus on EU institutions of representative democracy will neither help mobilising people nor result in a transformation of the current economic model. While a European opening of water services for more competition and leading to privatisation has been successfully halted, a new attempt is made via trade agreements. A series of trade agreements

are currently under discussion such as CETA (with Canada) or negotiation like TTIP (with the US) and TISA (over 50 countries) which risk to create a web of interlinking trade agreements, the sole purpose of which is to open service sectors and possibly health, elderly care, education and water for more competition and private capital. Interestingly, even the limited implications of an ECI have been further undermined in the Commission's decision not to permit an initiative in relation to the negotiations of TTIP. In sum, struggling within the constraints of (EU) representative democracy is unlikely to result in a transformative agenda.

One alternative way forward is a focus on public-public co-operation, in which engineers from one public company advice others about best practice. 'A public-public partnership (PUP) is simply a collaboration between two or more public authorities or organisations, based on solidarity, to improve the capacity and effectiveness of one partner in providing public water or sanitation services. They have been described as: "a peer relationship forged around common values and objectives, which exclude profit-seeking". Neither partner expects a commercial profit, directly or indirectly' (Hall et al 2009: 2). Objectives of this type of co-operation may include increasing the skills of a partner's workforce, technical assistance, cleaning up pollution, raising public finance, as well as democratisation of service provision. There is a large number of successful national and international PUPs. 'In all these types, the common elements are that the knowledge and resources of one partner are made available to the other partner on the basis of mutual cooperation and no pursuit of profit' (Hall et al 2009: 4). Encouragingly, the Commission did commit itself to supporting PUPs in its position on the ECI (EPSU 2014b), reflected also in the fact that it had already financially supported PUPs for some time (Hall and Lobina 2012: 3).

Importantly, just to return water into public hands does not automatically imply that the service is run better. ‘We acknowledge’, write McDonald and Ruiters (2012: 6) in their introduction to their book on alternatives to privatisation, ‘that many existing public services are poorly run – or non-existent – and do not meet any of our “criteria for success”. Defending these services is not an acceptable route to developing alternatives.’ The very fact that water privatisation was presented as the best way forward during the 1990s came against the background that the traditional public model had failed in developing countries (Bakker 2010: 76-7). In developed countries too, public does not automatically imply efficiency. Just because water companies were owned by the state had not meant that they were run well. In fact, Italian state companies were often accused of being rather inefficient as a result of nepotism and corruption (Interview No.7). Equally the traditional public, anthropocentric way of managing water had been highly exploitative of the environment (Bakker 2010: 87). In short, returning water into public hands can only be a first step. ‘Remunicipalisation is not merely about returning to the pre-privatisation situation, but should be about reinventing public water management altogether’ (Hoedeman, Kishimoto and Pigeon 2012: 107). The way water services are then run has to be re-thought more fundamentally.

It is one of the key contributions of the Italian water movement that it has raised the issue of the commons beyond the dichotomy of private versus public. The commons are understood as ‘elements that we maintain or reproduce together, according to rules established by the community: an area to be rescued from the decision-making of the post-democratic elite and which needs to be self-governed through forms of participative democracy’ (Fattori 2011). The question is now to push the struggle for the commons beyond the area of water into other spheres such a refuse collection, transport, education, health and even culture. In the Italian region of Puglia, for example the Rete dei Comitati per i Beni Comuni (<http://www.benicomuni.org/>) was established in June 2012

(<http://www.youtube.com/watch?v=p2AbScJYRkU&feature=youtu.be>; accessed

09/01/2015), including also issues such as the cycle of refuse collection and recycling as well as public transport as part of the commons (Interview No.16). The local water committee in Torino, a city in the North of Italy, too intends to expand the water movement into a Movement of Public Goods, including issues such as public transport, refuse collection, and the campaign No-TAV against the construction of a high-speed railway line in the region (Interview No.12).

Assessing the failures of public sector water provision during the 1980s, David Hall concludes that ‘the problem of the 1980s public sector failures can ... be seen as a lack of democratic process in the public sector, rather than a problem with the public sector itself’ (Hall 2005: 20). Thus, the focus on the commons in Italy is combined with an emphasis on a different, more participatory form of democracy. A form which ‘guarantees citizens’ direct participation in local government and the administration of the commons, which goes beyond the mere participation in local public institutions’ [translation by the author] (Carrozza and Fantini 2013: 77). The mobilisation for public water around the Italian referendum in June 2011 ‘acquired the role of a paradigmatic battle in defence of democracy and against the commodification of life, powerfully synthesized in the movement’s motto: “It is written water, it is read democracy”’ (Fantini 2014: 42). In other words, it is the combination of a new understanding of democracy and a new understanding of how to run the economy and, importantly, of how these two dimensions are closely and internally related, which brings with it a transformative dimension. ‘Strengthening the democratic, public character of water services is fundamentally at odds with the currently dominant neoliberal model of globalisation, which subordinates ever more areas of life to the harsh logic of global markets’, concluded Bélen Balanyá and his colleagues already in 2005 (Balanyá et al 2005: 248).

The citizens of the group K136 against water privatisation in Thessaloniki comprehended this dimension and viewed the crisis ‘as an opportunity to intensify the search for democratic alternatives’ (Steinfort 2014). Working on an alternative model of how to run the city’s water services, it adopted this notion of a new form of democracy. ‘The model is based on direct democracy, meaning that decisions are taken at open assemblies and are based on the principles of self-management and one person, one vote’ (Steinfort 2014). Similar experiments are carried out elsewhere. In Paris and Grenoble, ‘civil society representatives sit on the Board of Directors together with local government representatives, and have equal voting rights ...; [moreover,] citizen observatories have been established to open spaces for citizens to engage in strategic decisions on investment, technology options and tariff setting’ (Lobina, Kishimoto and Petitjean 2014: 5). In the Italian city of Napoli, the lawyer Alberto Lucarelli was not only given the task by the mayor to organise the re-municipalisation of water services, but also to include forms of direct citizen/consumer and worker participation in the public company (Carrozza and Fantini 2013: 95; Interview No.13). In Berlin, the Berliner Wassertisch, which had been the driving force behind the re-municipalisation of water, demands further democratisation of the local water company and has developed a water charter to this effect, including demands for the participation of citizens in the running of the company (Interview No.20, Berliner Wassertisch 2014). There are some concerns by public employers in Germany, who point out that the responsibility for running water services must remain with local authorities, able to take the necessary decisions to ensure safe water supply (Interview No.21). Trade unions too are hesitant at times. Water companies need to be run by experts, it is argued (Interview No.18) and employee rights to participate in company decision-making may be weakened, if citizens/consumers are also involved (Interview No.19). On the other hand, there are examples such as in the Spanish city of Zaragoza, where trade unions signed an agreement

with other civil society organisations, political parties and the municipality for a public water management in order to secure the human right to water (EPSU 2014d; see also <https://www.youtube.com/watch?v=SxCNIvvDm6g>). While there is no blue print of how a new form of democracy should be designed, experiments of the type in Napoli, Grenoble, Paris and Zaragoza, in which trade unions, municipalities, public water managers, and citizens groups are working together, can help to explore new democratic ways of managing water and sanitation successfully for all. As Fattori reminds us, ‘commons and communing are not an ideology but a set of practices, fragmentary manner – and at the same time they are generating ideas, projects, and theories’ (Fattori 2013b: 386). In turn, these new models can then be extended to other public services/commons such as health, education, energy and transport.

Interviews

Interview No.1: Deputy General Secretary, EPSU; Brussels, 23 January 2012.

Interview No.2: Two representatives of the Secretariat, Forum Italiano dei Movimenti per l’Acqua; Rome/Italy, 25 March 2014.

Interview No.3: Co-ordinator for Welfare State policies, FP-CGIL; Rome/Italy, 26 March 2014.

Interview No.4: Co-ordinator for wider networks, Cobas; Rome/Italy, 26 March 2014.

Interview No.5: Member of National Council, ATTAC Italia; Rome/Italy, 27 March, 2014.

Interview No.6: Member of the National Co-ordination Group; Unione Sindacale di Base (USB); Rome, 27 March 2014.

Interview No.7: Researcher on water movement, Fondazione Lelio e Lisli Basso; Rome, 31 March 2014.

Interview No.8: President of the Acqua Pubbico committee in Arezzo; Firenze, 2 April 2014.

Interview No.9: Co-ordinator of International Section, Forum Italiano dei Movimenti per l’Acqua; Firenze, 2 April, 2014.

Interview No.10: Co-ordinator in Tuscany for questions related to water, Legambiente Toscana; Firenze, 3 April, 2014.

Interview No.11: Members of the Arezzo Water Committee; Arezzo, 4 April, 2014.

Interview No.12: Co-ordinator of the Water Committee in Torino; Torino, 7 April 2014.

Interview No.13: Researcher on water movement, University of Torino; Torino, 7 April 2014.

Interview No.14: President, Comitato Italiano Contratto Mondiale sull'Acqua Onlus; Milano, 8 April 2014.

Interview No.15: Deputy General Secretary, European Federation of Public Service Unions (EPSU); Brussels, 6 May 2014.

Interview No.16: Referent, Water Committee of the region of Puglia/Italy, interview via skype; 6 June 2014.

Interview No.17: Officer responsible for water economy since June 2013, ver.di; Berlin, 17 November 2014.

Interview No.18: Officer responsible for water economy until June 2013, ver.di; Berlin 17 November 2014.

Interview No.19: Director, Section of macroeconomic co-ordination, DGB; Berlin, 18 November 2014.

Interview No.20: Representative of Gemeingut in Bürgerhand (Common Goods in Citizens' Hands; GIB) and Representative of Berliner Wassertisch (Berlin Watertable); Berlin, 19 November 2014.

Interview No.21: Director, Allianz der öffentlichen Wasserwirtschaft (Alliance of Public Water Economy, AöW); Berlin, 20 November 2014.

Interview No.22: Officer responsible for water questions, Grüne Liga; telephone interview, 27 November 2014.

Interview No.23: President, Lithuanian Industry Trade Unions' Federation, interview via skype; 12 January 2015.

Interview No.24: President, Trade Union of Energy Sector Workers of Slovenia (SDE), interview via skype; 15 January 2015.

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