## Questionnaire on water

**Feedback of the Government of Malta**

1. **In the context of COVID19 pandemic and recovery and relief measures, what measures and steps have been in place to ensure that all populations have access to adequate and sufficient water, sanitation, and hygiene services and facilities? In particular:**

* 1. **What measures and steps have been taken to identify the minimum vital amount of water required by specific individuals and groups in the context of COVID19 which emphasized handwashing as one of the preventive measures against COVID19?**

In Malta there is only one national water operator (Water Service Corporation – WSC), which supplies potable water to 100% of the population. The national utility ensured an adequate level of staffing and enforced national Covid19 measures to safeguard operations and ensure an uninterrupted water production and guaranteed pre-Covid supply levels.

* 1. **In the event that the water and sanitation services that are managed by private operators cannot be provided, what specific measures are in place to regulate and ensure that the population has adequate access to water, sanitation and hygiene services and facilities?**

The remit for the provision of water supply and sanitation services in Malta lies with a Government owned national utility, the Water Services Corporation.

* 1. **In the case of water and sanitation services that are managed by local and municipal (regional) governments, or by community systems, that cannot be performed, what specific measures are in place at the level of the central government to ensure that the population has adequate access to water, sanitation and hygiene services and facilities?**

Not applicable

1. **What temporary legislative or policy measures have been implemented in the context of COVID19 (including state of emergency, emergency laws, moratorium) to prohibit water disconnections for those who are not capable to pay the water and sanitation service tariffs?**

There have not been water disconnections, however the national utility (Water Services Corporation) makes provisions for vulnerable customers who benefit from subsidised water services to guarantee access to safe water for the financially underprivileged. The following extract from our customer contract refers:

“WSC acknowledges that the right to water and sanitation is a human right as recognised in UN resolution 64/292, and thus continuously strives to supply safe and clean water to its customers while conserving and augmenting water resources in accordance with the Water Services Corporation Act (Chapter 355 of the Laws of Malta).

* 1. **In the event emergency laws or moratoriums have ceased to be in force, what subsequent measures and steps have been envisaged and planned to ensure that disconnection of water and sanitation services are prohibited for households that are unable to pay?**

There has been no cease in emergency laws or moratoriums that came into force and thus no further measures were envisaged and planned.

2.2. **What data is available on the impact that COVID19 has had on unemployment, how it has increased the numbers of people in poverty, increased inequalities and in particular, how these three dimensions impact people's capacity to pay for water and sanitation services and facilities?**

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2.3. **What steps are being taken to ensure the affordability of water services for those who cannot pay their bills for reasons beyond their control, including unemployment and poverty, which have been exacerbated by the COVID19 pandemic?**

There is no legal definition of vulnerable customer in Malta. A stepped tariff is applied whereby a volume of 33m3/annum per registered user is provided at a reduced rate €1.3965/m3 compared to the higher rate of €5.1395/ m3 thereafter.

3. **What are the vulnerabilities that have been exacerbated by COVID19 that negatively impact people's access to water, sanitation and hygiene (WASH)? What measures and steps have been taken to identify and target individuals and groups that have been exposed to those vulnerabilities?**

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3.1. **What are the specific challenges faced by the population living in rural areas and those areas that rely on community-based water and sanitation services? How have these challenges been addressed?**

100% of population has access to potable water and sanitation.

3.2. **What are the specific challenges faced by population living in areas that are suffering hydric stress, and/or semi-arid regions?**

Not Applicable in Malta

3.3. **What are the specific challenges faced by seasonal workers, by populations living in refugee camps, in host-communities that absorb refugees, displaced persons and other forcibly displaced persons, as well as slums and informal settlements in urban and peri-urban areas?**

Open and Closed centres supplied to refugees are all Government owned and thus with the provision of both potable water and sanitation.

3.4. **In addition to the above groups which have been identified as gaps in the Special Rapporteur’s research thus far, which other groups and populations should be prioritized due to the increased vulnerability that COVID19 has created?**

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## II. Climate change and human rights to water and sanitation

**Impact of droughts on availability and quality**

1. **During drought cycles, which climate change tends to intensify in frequency and duration, water reserves should be monitored and foreseen. Both domestic and drinking use must be prioritized in order to ensure the human rights to water and sanitation, with special attention paid to those groups in vulnerable situations. Likewise, an increase in the concentration of pollutants should be prevented as there are fewer dilution water flows that would normally preserve water quality. In this context, in order for climate adaptation strategies to ensure that the population has access to safe drinking water and sanitation:**

* 1. **Are there legal, policy and regulatory frameworks to ensure that drinking water and water for domestic and personal usages are prioritized over water used for industrial agricultural and other for-profit economic activities in case of scarcity during drought periods?**

Drought order as a legislative tool to deal with drought situations is not available in the current water legal framework. Drought mitigation measures and management actions are integrated within the overall water management framework to mitigate, where possible, the effects of droughts on water demand and the environment.

1.2. **Are there measures scheduled in drought emergency plans to ensure that priority is given to household water supply and water for domestic and personal use? Is there hydrological planning that establishes specific plans to prevent drought, in which the priority of said water supply is guaranteed?**

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1.3. **Have areas, neighbourhoods or populations in vulnerable situations and most exposed to water cuts in drought periods been identified? If so, please provide information on how they were identified and what has been planned to counter this greater vulnerability.**

Not applicable.

1.4. **In periods of drought, how is the quality of drinking water guaranteed? If the water supply is seriously compromised, are there any alternative reserves in place, such as reservoirs, aquifers or drought wells that could provide the quality and quantity of water required, especially in the poorest regions and rural areas**

Circa 60% of the local water supply is produced though seawater desalination. Only 40% is sourced through naturally occurring Groundwater. The national utility operates persistently in semi-arid climatic conditions, hence the use of Reverse Osmosis (RO) to supplement water supply to meet demand, all year round. Circa 77% of the total annual water demand can be provided through the present installed RO capacity. National Investments are being made to future proof water supply till 2030 and beyond, namely, through an increase in water storage reserves and upgrading of the desalination plants.

**Impact of droughts on affordability**

2. **During drought periods, when availability and accessibility to drinking water and water for domestic and personal use is affected by competing demands for water resources, there may be pressures to increase water and sanitation tariffs. On the other hand, the need for implementing additional water supply sources may increase supply costs. Is an increase in rates foreseen in drought cycles? And if so, what is planned for families and individuals in poverty with incapacity to pay for water and sanitation tariffs?**

Approval of tariffs did not anticipate droughts.

Note: Tariffs are based on a full cost recovery principle to enable the operator to recover all its acceptable costs, earn a reasonable rate of return on the capital employed and to enable it to meet its current and future debt servicing obligations as and when they fall due.

**Impact of floods on availability and quality**

3. **Floods caused by heavy rains and river floods, apart from causing risk to the lives of those affected, the flooding of homes, destruction of crops and various economic damages, have significant impacts on water and sanitation services. Often, domestic water supply is contaminated or supply facilities are affected, which implies drinking water supply cuts. Sanitation stations tend to collapse when they receive massive storm drains along with domestic and industrial discharges, which produces direct polluting discharges. Especially worrying is the situation of those sanitation stations located next to rivers, which tend to be flooded indefinitely. Sometimes the rise in the level of the rivers and the massive pluvial drainage generate black or grey waters urban floods through the sanitation sewers, even reaching inside the houses. In this context, in order for climate adaptation strategies to ensure that the population has access to safe drinking water and sanitation:**

**3.1. Are there plans for territorial and urban reorganization that make it possible to minimize the vulnerability of populations to flood risks? What specific measures are included for groups in vulnerable situations?**

Reference can be made to Malta’s Flood Risk Management Plan (produced under the application of the EU Floods Directive)

3.2. **Are there emergency flood plans for groups in vulnerable situations and generally poorer neighborhoods, guaranteeing in particular water, sanitation and hygiene services for these populations, including the eventuality of evacuation?**

Not applicable (floods in Malta are of a contained nature)

3.3 **What alternative water supply provision is there to guarantee drinking water when floods contaminate habitual sources** or affect storage and purification facilities, especially for groups in vulnerable situations?

Not applicable.

**Impact of Desertification on availability and quality**

1. **Rising temperatures and rainfall variability caused by climate change can increase desertification in arid, semi-arid and dry sub-humid areas. In addition, prolonged droughts increase fire risks, accelerating degradation and even destruction of plant protection, soil erosion and desertification. Desertification increases surface runoff and therefore increases the risk of floods, which can impact water supplies and sanitation. It also causes less water infiltration in aquifers, affecting the availability of water. What steps and measures are being taken to combat desertification processes and to ensure safe drinking water and sanitation in case of desertification, especially for groups in vulnerable situations?**

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## III. Financialisation/commodification questionnaire

**The commodification of water and sanitation has been carried out through different mechanisms and policy programs. Each have had an impact on the payments to be covered by users. This includes the privatisation and inclusion of private actors in water, sanitation and hygiene (WASH) services and infrastructure, the transformation of public utilities into for-profit entities, market based mechanisms to manage water scarcity such as water trading and water banks, and the bottling of water by private companies. At each point, financial actors become involved when WASH services and infrastructure proves to be a profitable business. This report will explore the implications of these processes on the progressive realisation of the human rights to water and sanitation.**

The Maltese national water operator (WSC) (only one such operator) is responsible for water quality up to the Customers’ first tap downstream of the revenue meter. This water is certified to be potable according to the Drinking Water Directive 98/83/EC. Besides the continuous numerous tests conducted in the operator’s accredited laboratories, the operator doses the water with Chlorine gas and uses residual chlorine as an indicator against micro-biological contamination.

The same entity (that is WSC) is also responsible to provide, improve and extend public sewers and to cleanse and maintain these sewers so as to ensure that the drainage system operates and continues to operate safely and effectively.

**On the commodification of water through bottled water**

3. **The extraction of water for beverages is an increasingly profitable industry. Water extraction companies can be given licences to extract water from ground or surface water or given access to municipal water supplies at low or marginal costs. The beverage products created, including but not limited to bottled water, are sold at high profit margins and can target communities where there is limited access to public water services, they are of poor quality, or where suspicion of the quality of public water services exists. This can increase vulnerabilities in communities that need such surface or groundwater, when it is increasingly scarce. Bottled water can also increase vulnerabilities in these communities due to high costs and weakening of public utilities.**

As explained in Part III of this document, in Malta there is only one operator (WSC) which caters for the quality of potable water, which is accessible to 100% of the population. The Regulator for Energy and Water Services (REWS) does not issue licences to other companies for this service.

3.1. **What regulatory and monitoring mechanisms exist to counter possible vulnerabilities caused by private water bottling?**

Not applicable since REWS does not issue licences to water bottling companies.

3.2. **How can impacted communities hold private companies to account within existing regulatory regimes for their impact on access, affordability and availability of water?**

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**On Financialisation**

4. **Water and sanitation services and infrastructure can be "financialised" in different ways. This can mean a larger role for for-profit actors including investors and private companies and financial actors - banks, international financial institutions, hedge funds, pension funds, and increasingly insurance companies - involved in the provision of water, sanitation and hygiene (WASH) services and infrastructure. Financialisation can consist of: the commodification of water, with the corresponding water pricing processes; or the commercialisation and privatization of public water and sanitation services; or the inclusion of WASH services and infrastructure in global financial markets. The financial sector is defined by a short rather than long-term management focus that prioritises profit maximisation and shareholder returns, resulting in a concentration of investment in financial products rather than the production of goods. In this context, risk management is critical, and gives a leading role to the insurance sector and international rating agencies.**

As already explained in Section III, in Malta there is only one national water operator (WSC) which is a Government owned corporation.

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