

**THE CONTEMPORARY ROMANIAN EXPERIENCE  
WITH CIVIL SOCIETY PARTICIPATION IN DECISION-MAKING  
ON URBAN WATER MANAGEMENT**

Dr. Ec. Emil Bojin  
Association for Consumers Protection, Romania

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If the term "contemporary" includes the years of the communist regime, then there is nothing to say about "the civil society participation in decision-making on urban water management", because Romania did not have a free "civil society", and because all the decisions were in the hands of a few party chiefs, eventually only the hands of the "best loved son of the Romanian people". Those remembering the years previous to 1989 will not be surprised, but I have to make clear that Romania had a particularly though regime in the Eastern socialist block.

Therefore, such a desert with respect to the participation of the common people in the process of making decisions regarding their lives had left serious traces. As a consequence, we can detect some aspects of various non-governmental organizations that need to be improved. Such organizations are supposed to be formed by conscious, sometimes angry people, unsatisfied about the quality of the services provided by authorities or companies, that one day decided to take organized action. In this way, an environmental group is formed, a consumers association is born, a democratic forum is established.

But the reality is not the same as the previous model. Sometimes, such Romanian organizations were formed with the help of various foreign bodies, the reason being quite simple - the lack of funds, but also the lack of influence. Others were set up by more lucrative reasons: when there is no customs tax for importing cars used by a voluntary group, why not to create one? This is why most of the NGO sector has a quite bad image in the media.

Some were even established by some authorities, who needed to show their openness to co-operate with the civil society; it happened mainly when the central body asked such an attitude for its local branches, who happily reported, after a while, their excellent relations with the local civic group (usually led by a former colleague, with plenty of boring time since its retirement as a pensioner).

In a society still looking for a decent way of living, to act as a volunteer in a non-governmental group is quite a rarity. There is still a common question when somebody is invited to join such a group, asking: "what is my gain?". One cannot refuse such a question, being a rational one - everybody has some interest in doing things -, but we should add another sentence, that is "how can I help to get the result?".

The Romanian experience had shown that, quite surprisingly, the young generation is not very interested in joining the non-governmental organizations, on a

voluntary basis. The main point of interest of the young ones being "how to make quick money", there are not serious chances to obtain such a result by working for the collective interest.

The adult population is regularly too busy with their jobs (sometimes adding an evening one) to have some energy to be given in the voluntary sector.

What is left is the old generation, usually retired people who, if having enough time to spend, will bring with themselves obsolete attitudes; they will frequently ask for more state intervention on the market, as in the good old socialist times, not being fully aware about the methods that the civil society has to use in a democratic regime. It is not a rare situation when such people, belonging to a non-governmental group, will demand to perform inspections and apply penalties reserved to the authorities.

Too often, there is a kind of competition between various organizations in the same field, to prove which one is more representative. Such a fierce competition should be more appropriate between the producers, to obtain a larger share of the market, but not on the area of not-for-profit organizations, where there is an obvious need for a strong, national constituency.

Another problem with some Romanian NGOs is that they are actually identified with their presidents, their personal style, tastes, animosities and sympathies. Such organizations often are working without clear strategic plans, just following the inertia of the initial momentum. Their boards are obediently following the president's orders, just happy to finish as quickly as possible the meeting. Some of them even suffered a transformation process that gives them a style close to a private company, profit-oriented, others forgot that they were set-up in order to serve a common cause and spend their resources only on internal organisational issues. Other organisations, although claiming to be independent, are in fact appendixes to various political parties.

The solution with the lack of voluntary involvement that some NGOs had found was just to hire employed staff. In this situation, there are some advantages, such as their professional skills, but there is also a minus: the passion that would drive a voluntary member of the organization. One cannot ignore the difference between the sentence "I'm going to my office" and "I'm seeing my colleagues from the association". The ideal would be that the staff will represent volunteers, who elect responsible, quality boards.

In the large area of civil society interests, the most renowned Romanian non-governmental organizations are those promoting the democracy. These are, in a sense, involved more on the political aspects of public life, than on various public interest domains. The reason for this misbalance is given by the reality of the Romanian public life, where one can detect - without great effort - a lot of points that need to be clarified. There are answers that have to be given to such questions as: how close should mix a politician its personal business with its position in the public administration? How can the public administration be sponsored by a private company? How far a trade company can be present in a public school? Is it allowed for an elected official to spend the money as he pleases, asking for an expensive 4-wheel drive Range Rover instead of a Romanian made Daewoo, just to represent with "dignity" its voters? And more ...

From the official side, the authorities have a special attitude when dealing with the representatives of the civil society: they claim their openness and interest in co-operating with the civil society, but not always take into account its proposals. Such official bodies, created to have a dialogue with the society, are present from the central government to each county local government. But the basic view on the society the respective law has is limited, and reminds of another times: such "social dialogue" includes only three parts, that is the authorities, the trade unions and the employers. It is limited, because the society interests are larger than those of the people from the labour area; there are the consumers, there are environment concerned people, there are the tax payers and much more. It is reminding of the old "socialist" times, when everything valuable was done on the "industrial front" by the working class, when the emphasis was put on production.

The critical view of the Romanian non-governmental organizations that I have presented in the previous lines does not, however, represent the entire spectrum of the Romanian civil society. It would be unfair not to mention also the strengths, in this "SWOT" analysis: we can start namely with the last item, the reality of the legislation that asks the authorities to pay attention to the social dialogue. There are serious organizations that have gained a good fame in the media (which is far more critical with NGOs than the previous lines), in areas such as orphans' problems, transparency of the administratio, where notorious are "Pro Democracy" and "Academy Society", two NGOs very active mainly right now, when general elections will be held, or the tenants associations.

It is precisely this last area that will bring us to the target of our presentation, that is the participation of the civil society in the decision-making on water management. Time is to mention our principal actor, the League of Home Owners Associations - "Habitat". It emerged a few years ago, from another NGO called "The Civic Action", and its reason is to improve the position of the home owners when facing the providers of public utilities or the local authorities, mainly in Bucharest.

We have to mention the fact that about 85% of the inhabitants of Romania's Capital city live in condominiums, that is large blocks of flats, with hundreds of apartments, most of them being bought after 1990 by the former tenants. Such buildings, erected during the previous regime, are the main consumption unit of public services such as central heating, electricity or water supply.

Currently, it is not the water who poses the most serious problems, but the provision of central heating, Bucharest being in a quite harsh climate plain, with very cold winters, contrasting with the high summer temperatures. In contrast with the balanced, constructive attitude of "Habitat", another similar organization lost its credibility when its president accepted to act as the general manager of the Bucharest Authority of Thermal Agent, with disappointing results for the people. The main issue was, and still is, the high price that home owners

have to pay for this service, a price so high that some of them even decided to renounce to it.

The most active civic organization in the field of public services for home owners, "Habitat", meets every week with representatives of such providers, of the authorities and with the public to discuss various problems, including the water supply. A representative of "Apa Nova", the company providing water and sewage services, is also present.

The organisation provides training courses for the administrators of mentioned buildings, as delegates of the owners association.

We must stress the big success obtained by the civic sector when "Habitat" managed to obtain enough signatures from the public in order to ask individual metering for water supply. This initiative was eventually transformed into the Government Decision No. 933/2004.

The medium between the water services provider - Apa Nova - and the public or the authorities is played by the Service Levels Regulation Agency for Water and Sewage in Bucharest (ARBAC). It surveys the way that "Apa Nova" complies with the Concession Contract, receives and solves complaints or proposals from the users, and deals with various regulations in the field. One can see this Agency as a powerful instrument through which the public can influence the decisional process in the water management.

The public was taken into consideration from the start, when, in 1997, a strategic report was produced to prepare the privatization of the water supply in Bucharest. The Report used the results of a comprehensive opinion pool, when the inhabitants were asked, among other questions, if they were willing to pay more for a better service - the answer being "yes". However, the Concession Contract established lower tariffs than the previous ones. To finalize the concession process took three years, during which various opinions were expressed, some journalists saying that the contract itself was not transparently discussed. On the contrary, the ARBAC representatives declared that every meeting was public. Even the strategic report was debated in a public meeting, and any citizen can participate currently at such meetings.

The current legislative frame created the possibility for any citizen to take part in a debate concerning the public services, such as the Law 326/2001, or the Law 52/2003 concerning the transparency of the decisions and the access at the public information. The Bucharest City Council has opened since 1996 a Center for information, including the area of water supply and sewage. Even since 1992, when the first Consumer protection act was passed, were set up various Consultative councils where consumers associations could meet representative of various authorities and discuss common problems. However, it is still a bias between the written law and its actual enforcement.

The current document submitted to a public debate is the "Statutes of water services in Bucharest". It is published on the internet page of ARBAC, and also on the web page of the Municipality. Dozens of messages were sent and analyzed. The Statutes aims to improve the current regulations, including provisions about the transparency and the obligation to comply with the Service Levels. The authorities are open to study any proposal coming from the public, and during a discussion with the head of the water services unit from the City Council, the Consumers Association was invited to make comments on the draft Statutes.

#### Conclusion

The participation of the Romanian civil society to the decisional process of urban water management is on a good direction. The legal frame provides various methods for such a participation, and the authorities started to show an opened attitude towards such proposals. It is now time for the common citizen to become more active in various organized group, in order to present its opinions.