

Press release  
2<sup>nd</sup> September 2015

## **The Catalan Ombudsman launches a debate on the future of the energy sector in Europe**

- **Ombudsmen, energy companies and social entities analyse how to better safeguard citizens' rights**

The Catalan Ombudsman has held a workshop on future complains about the energy sector aimed at analysing in depth the agenda for the upcoming years in energy provision and rights, trying to tackle these main questions:

- What are the next human needs in energy terms?
- Which kind of complaints are we going to receive?
- Which type of investigations should we start?
- Which matters should we closely follow up?

This work group has discussed these issues with experts of the energy sector.

The NEON ([www.neon-ombudsman.org](http://www.neon-ombudsman.org)) has as goals to promote ADR in Europe in compliance with the recommendations of the Commission and EU Directives, to encourage the protection and empowerment of energy consumers; to represent its members at European level and to link up with European counterparts in the fields of energy and consumption and to represent its members at European level to facilitate the exchange of information, experience and good practices among members. The founding members of the NEON network are the Ombudsman Services (GB), the Energy Ombudsman of France, the Energy Ombudsman of Belgium and the Catalan Ombudsman. Representatives of Italy, Ireland and Czeck Republic also take part in the meetings.

The NEON is the interlocutor of the Energy Ombudsmen with the European Commission and takes part in several task forces of the DG Energy and DG Justice. There is also a work relationship with the CEER and the BEUC.

### **The priority of the Catalan Ombudsman: basic supplies and other services of general interest provided by private companies**

In February 2014 the Catalan Ombudsman submitted the report *Private management of public services and good corporate practices*, which tackled the validity of tools aimed at monitoring the public administration in a new scenario, in which services of general interest are provided mostly by private companies. The Catalan Ombudsman considers that citizens' right to a basic service is linked to the nature of the service itself, regardless the nature, private or public, of the provision. Privatization of basic services should not entail a loss of citizens' rights.

After that, in December 2014 the Ombudsman submitted the *Report on the right to basic supplies (electricity, water and gas)*. The report analyses what should it be the right to basic supplies regarding water, electricity and gas, mainly provided by private companies. The report also intends to stimulate the discussion among the actors involved to make progress in the legal recognition of this right in Catalonia, Spain and Europe.

Furthermore, there are more and more services that, although they are not considered as basic, are becoming of general interest in people's daily lives, such as air transport, bank services or other services traditionally provided exclusively by the Administration, but currently totally or partially privatized (for instance, funeral services or private security).

Despite this system of guarantees, in practice consumers remain very helpless. Regulatory entities in Spain are not politically independent. They outweigh a political and competition regulation, but they do not outweigh the defence of consumers. In this sense, they oversee companies regarding tariffs and competition, but are very lax in the defence of consumers.

In addition, the impact of TTIP on the rights of consumers is also a concern of the Catalan Ombudsman and his European counterparts, especially with regards to basic services, such as energy and water supplies.

The Catalan Ombudsman considers that cooperation and joint efforts between the Ombudsman and companies that provide basic services are essential to safeguard citizens' rights. A proactive work with service suppliers to guarantee citizens' rights is one of the Ombudsman's priorities. This work, already initiated, will be increasing and will be one the main goals of the Catalan Ombudsman.