



EUROPEAN COMMISSION

Brussels, 2.8.2013
C(2013) 5116 final

Dear President,

The Commission would like to thank the Državni zbor for its Opinion concerning the proposal for a Directive on the award of the concession contracts {COM(2011) 897 final}.

This Commission proposal, currently being negotiated with the Council and European Parliament, fully respects the principle of freedom of national and local authorities to decide on the most appropriate means of performing the works and providing the services falling within their competences. This principle applies to all services activities, including those related to the provision of water.

Under no circumstances the proposed directive would result in the forced privatisation of water or any other service of general economic interest. Public authorities would remain free to pursue such activities themselves (by using their own resources), confer them to an in-house entity or, alternatively, assign them to a third party if they decide so. This decision would remain with them.

It is only in cases where public authorities take a decision to externalise the provision of a service that the Directive would have to be respected, and only with regard to concession contracts advertised after its entry into force.

Moreover, in the event of externalisation decided by public authorities, the Directive would have no impact on the freedom of the competent authority to define the characteristics of the service to be provided, (i.e. the level of quality, fees etc.). Therefore, the Directive would not restrict the autonomy of these authorities to carry out the public tasks in the manner they consider most appropriate to meet the specific needs of the users and, hence, would not pose a threat of deterioration of water quality or affordability.

The Commission hopes that these clarifications address the concerns raised by the Državni zbor and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Mr Janko VEBER
President of the Državni zbor
Šubičeva, 4
SI – 1000 LJUBLJANA
SLOVENIA*