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The politics of achieving the Right to Water

National ministers from Africa gathered with hundreds of people from United Nations agencies, development banks, public water operators, non-profit groups and trade unions from around the world to celebrate World Water Day on March 22 in Cape Town. A priority on the agenda: responding to the growing urban water challenge. The number of people living in cities in Africa with no access to tap water at home or in the immediate area increased by 43 percent (from 137 million to 195 million) between 2000 and 2008.

It is unbelievable that in this day and age – with the untold wealth generated by human activity – that millions of people die each year from waterborne diseases.

The right to water is akin to the right to life, but many governments are reluctant to recognise this most basic reality and shoulder their responsibilities to deliver safe, affordable water.

Fortunately, Bolivia boldly pushed through a resolution endorsing the human right to water and sanitation in the United Nations General Assembly last year. Working with other allied governments, Bolivia managed to shame various rich countries such that rather than oppose such an obvious right, they merely abstained. The nonbinding resolution passed on 28 July 2010. Among the arguments used against the resolution is a lack of clarity about what responsibilities the right to water will place on governments.

For the past 20 years, governments have tried to offload this responsibility onto the private sector in the vain hope that multinational corporations would step in with expertise and finance. The World Bank, the International Monetary Fund and regional development banks have forced the privatisation pill down the throats of countries with aid packages. Rich countries also wield their aid budgets and free trade treaties to win business for their national companies.

The privatisation experiment has disappointed. The main problem is that private corporations exist to maximize profits, but the poor don't have enough money to pay the high fees demanded. Further, private companies are unable to address the non-financial issues in the water sector such as conservation, ecosystem protection, equity – including for women and girls, among rural and urban, between working people and the unemployed. And the argument that competition brings efficiency does not apply in the natural monopoly of urban water and sanitation.

Privatisation actually creates more problems than it solves. Many governments have realized this and are bringing water and sanitation services back into public hands. Even the city of Paris, the heart of the French private water companies, decided in January 2010 to reclaim public ownership and management of its water system. Yet, the private sector recognises that there are billions to be earned with this 'blue gold', and their powerful lobbying machinery is hard at work.

The fact is that water and sanitation services, especially in dense urban areas, must be provided by government. This is especially true in developing countries, as no private companies will dare invest the sums needed without massive government guarantees, including for hefty annual profits.

The struggle around water is essentially the struggle for democracy; it is no coincidence that the poor and voiceless remain unserved. Public Services International, the Transnational Institute, the South Africa Municipal Workers Union, and other South African civil society organisations, call for the opening of the “*Water TAP*” - opening the currents of “Transparency, Accountability and Participation” as key practices to be applied in the delivery of water and sanitation services. There is a growing awareness that the public sector water and sanitation operators are the key to delivering universal access.

Over 90 percent of water is delivered by the public sector; the largest pool of experience and expertise, and the majority of examples of good practice and sound institutions are found in existing public sector water operators. Moreover, many public sector water utilities have been helping each other to develop the capacity to be effective and accountable - public-public partnerships (PUPs).

Public water and sanitation utilities are typically local operations with no ambitions or legal ability to become global players. Thus, if we are to tap into the wealth of expertise of the staff of these public utilities, we must create global mechanisms to support them in public-public partnerships (PUPs).

The UN Secretary General’s Advisory Board realized the potential of the PUPs model and developed the Water Operator Partnership initiative known as WOPs. The (former) UN leader Kofi Annan mandated UN Habitat to create the Global Water Operator Partnerships Alliance - an alliance of partners committed to helping public water operators improve their collective capacity to provide access to water and sanitation services for all.

Our organisations were involved in the development of this agenda and applaud the establishment of the alliance. After decades of the private sector interests being imposed, the policy focus has at last returned to the public sector. It is also appropriate that the World Bank and regional development banks - which are using public funds - support these PUPs.

We applaud UN Habitat’s team for convening more than a hundred water specialists in Cape Town for the first Global Water Operator Partnerships Alliance Congress. Our organisations sent delegations to ensure that the voices of citizens and workers would be heard. The Asian Development Bank and the Inter-American Development Bank are coordinating and funding most of the current WOPs projects, despite both having long track records and firm commitments to increasing private participation in the sector. We will keep careful watch over the WOPs which they fund. We cannot allow these partnerships to become another commercial vehicle.

Our delegates also spoke directly to their water ministers, gathered in the African Ministers’ Council on Water. We told them bluntly that they must implement the right to water if our societies are to grow, that public-public partnerships are more affordable and effective than the pipe dream of privatization. One union sister

from Tanzania, which experienced a failed privatisation, told how women must, after a long day at work, return home to carry water on their heads in order to fulfill their domestic obligations today.

In South Africa, the water privateers had a run but were ejected, due largely to political pressure. Yet this did not solve all the problems. At the time South Africa held its first democratic elections in 1994, over 12 million people did not have access to water and 21 million people did not have access to sanitation. The newly democratic Republic of South Africa included in Section 27 of its Constitution that all South Africans have a human right to water sufficient for health and hygiene. Although many more South Africans now have access to water and sanitation than they did in 1994, communities such as Cape Town argue that the water is too expensive and too scarce, and that the unilateral installation of pre-payment and water management meters in poor communities is undemocratic and contradicts citizens' constitutional right to water. These devices impose cut-offs on the poor until they find the money to pay. With unemployment at 40 percent in some areas, the ability to pay is very limited.

We look with anticipation to the promising partnership that is emerging between the Dutch Public water network Waternet - a strong driver of public-public partnerships around the world - and the City of Cape Town. Together they are forming a Water Operator Partnership with the intention of building the capacity of a number of smaller water utilities in the Western Cape Region. Finances have been raised through the Dutch law that enables local water utilities to use one percent of their revenue for these international partnerships. If other governments did this, it would go some distance towards delivering universal access to water and sanitation, especially on the African continent.

It is clear that the solutions to the delivery of water and sanitation for all are fundamentally political in nature and not just technical. The need for opening the "Water Tap" for transparency, accountability and participation is vital as we face the rapid increase of urbanisation and the frightening implications of climate change for our scarce water resources.

(From)

Mthandeki Nhlapo, general secretary, South African Municipal Workers Union (www.samwu.org.za)

Peter Waldorff, general secretary, Public Services International (www.world-psi.org)

Susan George, Transnational Institute (www.tni.org)

Mthandeki Nhlapo is general secretary of the South African Municipal Workers Union which represents close to 140,000 members delivering public services through local governments.

Peter Waldorff is general secretary of the global union federation Public Services International, which represents 20 million members in 150 countries.

Susan George is the author of fourteen widely translated books and is one of Transnational Institute's most renowned fellows for her long-term and ground-breaking analysis of global issues.