Water Justice and Democracy

Alternatives to Commercialisation and Privatisation of Water in Asia

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Introduction

Asia is home to immense natural and productive resources such as land, water, forests and a biodiverse environment. It is a region of tremendous wealth, modern cities, industrial capacity and growing urban centres, especially with China and India as rising economic powers. However, the region can be best described as a paradox: despite the abundance, Asia is known for its overwhelming large populations with deep pockets of poverty and inequalities within and between its rural and urban areas. Income inequalities are severe in sub-regions (Chavez, 2011). At the same time, it is a diverse and complex region, with wide disparities in history, culture, political economy, and current development.

This diversity is also reflected in the region's water resources: Asia is well endowed with water resources but monsoon cycles can induce large inter-seasonal variations in river flows and there are significant variations across the four sub-regions (Central, South, South-east and East). With more than 50% of the world's population, the amount of water per capita, a standard indicator of water availability, also varies, with Central, East and South Asia typically recording levels lower than the global average. Southeast Asia, on the other hand, has more than twice the world average (World Resources Institute, 2005: 1). As of 2002, water poverty[1] in the four subregions ranged from 55% to 62%, with a regional average of 58% (see Table 1 in Annex 1).

Hydrological cycles aside, much of the debate about water in Asia today revolves around water treatment, distribution and sanitation, and who provides these services. The Millennium Development Goals (MDGs) provide Asian countries with a quantitative framework for dealing with the challenge of water service provision, with MDG 7, Target 10[2] calling on nations to halve the proportion of people without sustainable access to safe drinking water and improved sanitation by 2015. Although 10-14% of Asians still did not have access to safe supplies as of 2006, many parts of the region have reportedly met and surpassed their targets. In East Asia alone, over 400 million people were reported to have gained access to improved drinking water sources as of 2006, an increase in coverage by 20% over the 1990 figures (UN, 2008: 52).

This paper provides an overview of water issues in Asia, especially in terms of access to water by poor families. It is divided into four sections. The following section of the paper offers a quick scan of the level of water service delivery and type of providers (private vs. public and community in Asia). The second part tackles the problem of liberalisation in services, in particular the role of the European Union and its transnational corporations, or 'water barons', as an obstacle to providing universal coverage and access to water for the poor and marginalised sectors of Asian society. The third section addresses the urgency of searching for and building alternatives. It provides examples from the region, especially Southeast and South Asia, with emphasis on the Philippines. The paper concludes with some notes on policy recommendations and advocacy for alternatives.

[1] Water poverty refers to the order-of-magnitude estimate based on a country's position as determined by such indicators as resources, access, capacity, use and environment; as a composite measure, the Water Poverty Index (WPI) indicates the impact of water scarcity and water provision on human populations.

[2] http://www.unmillenniumproject.org/goals/gti.htm

A. ASIA'S WATER SERVICE DELIVERY

Aside from the MDGs, there are a number of regional initiatives to ensure water security in Asian countries. One is the Association of Southeast Asian Nations (ASEAN) Strategic Plan of Action on the Environment (1994-1998) which provides that member states respond to specific recommendations of the United Nations' Agenda 21. Specifically, ASEAN member states are required that "adequate supplies of water of good quality are maintained for the entire population while preserving the hydrological, biological and chemical functions of ecosystems, adapting human activities within the capacity limits of nature and combating vectors of water-related diseases" (UN, 1992: s.18.2). The accord further recognised that "innovative technologies, including the improvement of indigenous technologies, are needed to fully utilise limited water resources and to safeguard those resources against pollution" (ibid.). Another initiative in South Asia is the adoption of the recommendations of the *Human Development Report* (2006), with emphasis on making water a human right, especially through "enabling legislation to ensure a secure, accessible, and affordable supply of water" (UNDP, 2008). At the heart of this is the necessity of mustering political and economic will to meet such goals.

Levels of water service delivery in Asia

Although MDG 7, Target 10 calls for the reduction of the proportion of the population without sustainable access to safe water supply, the report *Asia Water Watch 2015* (WHO, 2006) notes that safe water supply has been extremely difficult to assure. In view of this, the phrase "improved water supply"[3] has been proposed as a substitute to be "the best measurable standard" to indicate that "water is more accessible, and some measures have been taken to protect the water sources from contamination" (WHO, 2006: 9).

Based on this indicator, *Asia Water Watch 2015* (WHO, 2006) reported that from 1990 to 2002, water supply coverage in the region improved from 82% to 84%, but the increase was not uniform. East and South Asia reported increases of 5 and 6 percentage points, respectively, but coverage declined in Southeast Asia mainly due to the deterioration of existing facilities and service delivery systems coupled with rapid population growth (ibid.). Although an additional 100 million persons were provided with improved water supply between 1990 and 2002, such increase in coverage was less than the population growth of Southeast Asia during that period (see Table 2 in Annex 1).

By 2006, Asia as a whole surpassed the 2015 MDG target for population with access to improved drinking water source (IDWS), 86% versus the actual 87%. This level of access reflected a tremendous improvement over that of 2004, during which Asia was reporting only 78% of its population with access to IDWS. The 2004 level was even a regression over the 1990 level of 80% access (see Table 3 in Annex 1).

Water service providers: public versus private

The United Nations' Agenda 21 recommends that states "support water-users groups to optimise local water resources management" (s.18.12), and develop and strengthen "cooperation at all levels…including the decentralisation of government services to local authorities, private enterprises and communities" (ibid.). With many states unable to provide centralised government services, these recommendations allowed communities and village-level associations, as well as local governments, to continue performing their role as water service providers to their respective constituencies, thereby increasing the variety of management models for water service delivery.

In an effort to map the degree of public versus private sector service delivery in Asia, the authors conducted a survey of 646 listed water utilities, of which 171 (24%) provided information on the number of service connections and the number of people serviced. This is a large and broadly characteristic sample but it should be noted that it is not statistically representative due to data collection limitations, foremost of which was language. Those included in the list from Central and South Asia were large, centralised utilities. In Central Asia, an average water utility would have 103,000 service connections covering more than 1.2 million people. In South Asia, a utility would have an average of 320,000 service connections serving 3.7 million individuals. Those in East Asia have a little less than one million service connections serving an average of five million people. The water utilities in the list in Southeast Asia also covered smaller water districts in the Philippines. They have an average of 62,000 service connections providing water to 240,000 people (see Table 4 in Annex 1).

Most of utilities listed are public in nature, either as state-sponsored agencies or as municipal corporations. Although the research found only several private water corporations in the Philippines (Manila Water Company,

[3] According to the World Health Organisation and UNICEF's Joint Monitoring Programme (JMP) (http://www.wssinfo.org), "access to an improved water source refers to the percentage of the population with reasonable access to an adequate amount of water from an improved source such as household connections, public standpipe, borehole, protected well or spring, and rain-water collection. Unimproved water resources include vendors, tanker trucks, and unprotected wells and springs. Reasonable access is defined as the availability of at least 20 liters a person a day from a source within one kilometre of the dwelling".

Inc. (MWCI) and Maynilad Water Services, Inc. (MWSI), and in Indonesia (PT Pam Lyonnaise Jaya and PT Thames Pam Jaya), online information indicated that some private corporations worked for the development of sources of water supply, and for the acquisition of rights or entitlements to the water they were able to produce from their projects. Endowed with legal entitlements for the abstraction of water, these corporations then enter into bulk water supply arrangements with the public-sector or non-profit utilities.

B. LIBERALISATION IN SERVICES AND INVESTMENT: ENTER THE EU AND ITS TNCS

Despite these leaps and bounds, Asia still has the highest number of people unserved by either water supply or sanitation, according to the United Nations Educational, Scientific and Cultural Organisation (UNESCO) (2003). About 715 million people in Asia have no access to safe drinking water, while 1.9 billion or close to 50% of its population has no access to sanitation. With water fast becoming a critical resource,[4] the problem is largely one of 'governance', i.e. equitably sharing the world's freshwater while ensuring the sustainability of natural ecosystems. This balance clearly has yet to be achieved in the region.

The increasing scarcity of water has renewed debates on how to best manage this critical resource and effectively ensure "water-for-all", including guaranteeing all life forms and ecosystems. This global water crisis, unfortunately, has become a staging point for international financial institutions such as the World Bank and Asian Development Bank, and neoliberal governments in the North and the global South to promote and push for privatisation and commoditisation of water as the "best model" that will solve the region's water crisis. As Naqvi (undated: 7) points out; "according to World Bank philosophy, religious places, helpless poor, birds and animals—all are consumers"; therefore, allow the market as "the most efficient allocator of scarce resources" (ibid.) to be the arbiter of all values.

Despite the general recognition that privatisation has failed to deliver on its promise of adequate and effective water services provision, according to McDonald and Ruiters (2012), "a 'rethink' of privatisation efforts and renewed explorations continue to seek solutions that provide stronger support to the private sector and/or deepen the commercialisation of the public sector (i.e. running public services like a private business), especially by the World Bank". This is not surprising since water is deemed as the "new oil" and therefore, investment in this 'blue or liquid gold' is a no-brainer. Water, for the privateers and global capital, is the "perfect commodity": inflation proof, can be sold anytime, everyone needs it, and demand will continue to grow, especially with populous countries and emerging markets like China and India experiencing severe water crisis.

Enter the EU transnational water corporations

About 5% of the world's population gets their water and sanitation services from private companies. The presence of European transnational water corporations, also called water barons, is definitely felt in the Asian region. Suez, Veolia, Thames Water, SAUR, United Utilities, and Biwater/Cascal have/had various contracts[5] in different countries in Southeast, East, and South Asia, either through build-operate-transfer schemes (BOT) or concession contracts and mostly through joint ventures with local private companies.

Suez earned €13.89 billion from its water sales in 2010, 4% of which are from its operations in Asia. Suez supplies 91 million people with water and 61 million people for its wastewater treatment services. Veolia, on the other hand, has €13.44 billion for water sales in 2010. It has furthermore set aggressive targets in privatising water and outsourcing management of water and sanitation services including technology and construction of water facilities. According to Public Services International Research Unit's report "Suez and Veolia continue to treat China as a special case where they wish to invest even in relatively risky projects" (Hall et al., 2004: 4). Thames Water, the largest UK water company, on the other hand, has left China. But the European multinationals still remain interested in investing in the Japanese and South Korean markets (ibid.). These European companies are involved mostly in urban water privatisation schemes, mainly in mega cities with high-income residents.

The dominance of the French might have something to do with their solid and protected position in the French home market, where they control 85 percent of the private water markets (The International Consortium of Investigative Journalists, 2003). But the strength in their own turf has already been challenged. The remunicipalisation of Paris' water services in January

[4] There are a number of challenges and factors which hinder the achievement of water for all: population demands, pollution, overextraction, competing use of water for industry, agriculture, mining, tourism, etc., and climate change, among others. The global water crisis is multilayered, multi-level and faceted and comes in many shapes and forms. For more info, see http://unesdoc.unesco.org/images/0012/001297/129726e.pdf#page=1

[5] Some of these contracts have been terminated and operations sold, e.g. Thames Water's operations in Indonesia, Thailand and Australia.

2010 made a significant break from the commercial dominance of the French multinationals in the water sector. By establishing the single public operator, Eau de Paris, the Paris mayoralty were able to restructure, institute important reforms and reclaim public interest. According to Anne Le Strat, the deputy mayor of Paris in charge of water, some initial advantages are already observed with the remunicipalisaton. One is the big profits, an estimated €35 million that the reform has produced and reinvested in water services; two the lowered cost of water per cubic meter (at €1 compared to the 260% increase with the private company); and finally new services are underway.

The changing tides have also travelled to Asia (further discussed in the next section). In Indonesia, civil society, unions, and Jakarta's citizens are calling for the termination of the city's contract with Suez. Twelve years after the privatisation of water in Jakarta, Suez has failed to deliver its promise of adequate water supply through pipe connections in the city. The residents have resorted to overextraction of groundwater which created new environmental problems. A recent report of the Supreme Audit Board of Indonesia (BPK) concluded that the private contract is untransparent, unfair, and void. Jakarta is the last big city in the global South where Suez still has a concession contract. The termination of this contract, therefore, would have a big political impact not only in Jakarta but all over the world. Apart from this, numerous contracts between European multinationals and Asian governments have failed and eventually terminated. For example, Suez terminated its BOT water supply operations in Thu Duc, Vietnam in 2003 due to dispute over contract terms. United Utilities left Malaysia's Indah Water when the company was nationalised in 1997. And in 2011, Thames and Veolia sold its BOT water supply to Xian municipality in China (Hall et al., 2004).

Furthermore, in China, European water transnationals are losing popularity. This is partly due to the infusion of capital investment in China's water supply infrastructure by its municipalities and the rise of domestic water giants, which are state-owned shareholding companies or former state-owned enterprises (SOE) (Globalisation Monitor, 2011). One notable example is the Beijing Capital Company Limited, a publicly listed SOE which has 27 water projects across China. It rose to number one position in 2009 (from third place in 2006) in the Top 10 Most Influential Water Companies survey of China Water Net, an authoritative information provider and serial events organiser in China's water sector. Sino French Water, a joint venture between Suez and Hong Kong's NWS Holdings Limited, and Veolia ranked fourth and fifth respectively. The other reason for European transnational's loss of foothold in China is their high premium offered in acquired contracts which can translate to skyrocketing water rates. This raised concerns over the transnationals' possible monopoly and gambling with China's water industry, which eventually led to the central and local government's policy of no high premium acquisition by transnational corporations after 2008.

Closer ties, more market access

While the tides of privatisation and European control in Asia's water sector are changing, another mechanism for liberalisation of the sector is in the works. Regional and bilateral free trade and investment agreements are the latest tool for the liberalisation in services, which means more market access and corporate control through foreign direct investments. Currently, the European Commission, via the Lisbon Treaty, is designing and negotiating comprehensive investment protection and liberalisation measures with third countries (Olivet, 2010). In Southeast Asia, the EU-ASEAN Free Trade Agreement (FTA) is a comprehensive agreement between the European Union and the ten member country of the Association of Southeast Asian Nations that seeks to liberalise trade in goods, services, and investments (including portfolio investments). The FTA is a region-to-region negotiation that was launched in 2007 and expected to conclude in two to three years time. However, the slowness of the negotiation process prompted the EU to explore bilateral agreements and it recently inked the negotiation with Singapore.

The FTA is controversial to say the least, ambitious and far-reaching in coverage. With the World Trade Organisation (WTO) multilateral talks in animated suspension, the EU seeks to obtain WTO plus commitments and negotiate better market access for its investors through non-discriminatory rules in the form of most favored nation (MFN) commitments. The EU claims, based on its commissioned study in 2006, that the FTA would have a "wide range of anticipated positive effects to both parties...boost growth in ASEAN and increase ASEAN's presence in the EU and enhance inter-regional foreign direct investment flows in both directions" (cited in Minambres, 2009: 4). But the Global Analysis Report admitted that the liberalisation of services would benefit the EU more than its counterpart (ibid.).

The ASEAN on the other hand has approached its regional integration vision through the pursuit of free trade agreements and investment treaties (Purugganan, 2011). Apart from the EU, ASEAN has embarked on negotiations with China, Japan, India, the US, New Zealand, Australia and South Korea. According to Jenina Joy Chavez, senior associate with Focus on the Global South and an expert on ASEAN, "as of November 2010, aside from the WTO, ASEAN Members are also involved in a total of 164 free trade agreements or economic partnership agreements, with more than half already in effect or under implementation". Further, as

of May 2010, ASEAN countries have inked a total of 352 bilateral investment agreements, with 26 of them between ASEAN countries themselves. According to Chavez, these agreements entail the "increasing blurring of boundaries between and among foreign and domestic corporations and the importance of international norms and instruments viz. national regulations".

Clearly, such a liberalised environment would not only facilitate the commercial presence of European investors and privatisation of essential services such as water but solidify their interests in Asian economies. It will further embolden corporate lobby groups such as AquaFed (International Federation of Private Water Operators), the "voice of the private industry vis-a-vis international organisations"[6] to promote private sector participation in water and wastewater management in developing countries. Already, AquaFed is flexing its corporate muscle to influence the European Union's decision making, an additional lobbying vehicle of the transnationals (Hall et al., 2009).

A particularly controversial provision in the EU-ASEAN FTA is the investor-state dispute resolution, which provides the foreign investors the right to take a government to court - either in the World Bank's International Centre for Settlement of Investment Dispute, international arbitration panel in Paris or the United Nation's Commission on International Trade Law (UNCITRAL). From practice, this of course has cost governments monies and damages. Further, under the new EU investment regime, developing countries' capacities and flexibility to maintain policy space and options that allow them to defend their people and public interest will be eroded. It is also questionable whether FTAs and investment agreements will boost growth in ASEAN. The region is characterised by asymmetries—Singapore has the highest per capita income of US$48,893 PPP, which is 31 times than that of Myanmar's US$1,596 (Chavez, 2011). Without taking into consideration these wide disparities, a blanket agreement would exacerbate already existing inequalities.

[6] http://www.aquafed.org

C. THE SEARCH FOR ALTERNATIVES

Public and community responses and alternatives to the commercialisation and privatisation of water abound, especially in the areas of access to control and sustainability of drinking water supply or water service provision in both rural and urban areas. These alternative models of water service provision are very wide ranging, as they depend on the condition and specificities of a particular area or country. There is no 'one-size-fits-all' alternative that has emerged. But common among them is responding to the need for people-centered, ecologically sustainable, and progressive public water management and on-the-ground solutions, particularly to the problem of water access and universal coverage, particularly for the poor and marginalised.

There are several examples of these models. One is strong and efficient/effective public and community water delivery systems in the Philippines, Malaysia, Hong Kong, South Korea, Cambodia and Japan. Public utilities in Osaka, Japan, for example, have achieved universal coverage for its population, translating into delivery of high quality drinking water, very low leakage levels and good labour conditions for the unions (Tomoko, 2007; Hall et al. 2009).

Another public utility, the Phnom Penh Water Supply Authority in Cambodia, undertook a massive rehabilitation of a decrepit water distribution system after the Khmer Rouge reign and embarked on strengthening management capacity to minimse unregistered or unmetered service connection in slum areas and among informal settlers. In India, the Self-Employed Women's Association (SEWA), a trade union and community-based movement of poor and self-employed women workers in the State of Gujarat, was able to establish, and now continues to operate and maintain a system that provides safe potable water to its members, minimising time spent for collecting water, and giving the women more time for livelihood activities. SEWA provided the communities in Gujarat with safe potable water by digging water canals, laying down pipelines, and chlorinating the water supply. By undertaking chlorination, water quality improved tremendously in comparison to the water that used to be collected from the earthen reservoirs. They formed a village committee to address the acute water shortage and the absence of livelihood options. Members meet regularly to decide water management issues and supervise the work that has to be done.

Through their direct management of the water system, SEWA not only ensured operational sustainability and improved availability of water, its distribution and allocation, but also set in place a mechanism for enhancing financial viability. Improvement in the quality

of service, moreover, gave women in particular more time to devote to their means of livelihood.

The second is state-led democratisation experiments. In India where large parts of the population remain without access to water and sanitation, concrete and workable alternatives to privatisation exist. For example, in the state of Tamil Nadu, engineers of the Water and Drainage Board (TWAD) have undergone a democratisation experiment and change management process[7]. Under the initiative, water supply to 60 million people of Tamil Nadu and the delivery of irrigation water to the farms of more than one million families were undertaken in conjunction with the management of attitudinal change, shifts in perspective, and transformation of the institutional culture of water engineers using a process-oriented participatory training methodology based on the traditional practice of Koodam, a Tamil word for gathering and social space, and for consensus that implies harmony, diversity, equality and justice. The transformation of the institutional culture of water engineers, and the changes in perspectives and relations between local communities and the water utility facilitated the implementation of the joint management of water resources. As an official-to-official transfer of ideas and experiences, the change in perspective gained during the workshops helped transform the engineers into becoming 'managers of the commons'.

A partnership was also forged between local communities and the water utility for the joint management of water services based on equity, resource management, reduction of water consumption, improvement of reliability, and reduction in operating and maintenance costs. Detailed discussions on costs and tariffs enhanced the awareness of consumers regarding the need for water conservation and different rationales for setting water fees. Diligent maintenance of records on pumping hours, water supply hours, electricity meter readings, and linking these aspects to the water supply costs, served to spread awareness regarding water tariffs. Further, women in the communities and those marginalised took a pro-active role in taking care of their water sources, ensuring safe and quality drinking water for all members of the community. The communities instituted their own oversight and monitoring system to check the water quality of their water sources. These are strong positive tools for improving public water service delivery and instituting community empowerment.

Finally, there are public-public and public-community partnerships, or not-for-profit partnerships between public water operators, communities, trade unions and other social-economic groups. In Thailand, the competing demand for water by households, agriculture, tourism and industry led the different interest groups in the Ping River, one of the two main tributaries of the Chao Phraya River, to negotiate and balance such competing demands. Local NGOs, residents of communities located upstream and downstream of the river, Hang Dong farmers and Hmong Hill Tribe eventually came up with an acceptable system of water allocation. Public-public partnerships (PUPs) in particular aim "to link up public water operators on a non-profit basis to strengthen management and technical capacity. They offer an innovative and practical way of sharing the expertise of public water managers, between South-South or North-South to spread good practice, disseminate good ideas, and drive up performance; in the process, providing the socio-political support needed for such forms of mutual cooperation" (Reclaiming Public Water Network, 2010). It is clearly an alternative to public-private partnerships (PPPs), that has the potential to create a multiplier effect, but is an idea whose time has come.

In Asia, there are a number of PUPs - between Southern utilities within a country or between countries, and between Northern and Southern utilities, either in the form of solidarity partnerships, democratisation and labour management cooperation in water and sanitation (see Annex 2). Japan has a long history of solidarity partnerships, which were used extensively to develop its own sewerage systems in the 1960s (Hall et al. 2009: 5). Since the 1980s, Japan's municipalities conducted training courses in sanitation for other Asian public utilities, financed mostly by its own aid agency, the Japan International Cooperation Agency (ibid.). Further, European public companies are engaged in a number of international partnerships with Asian public utilities. For example, Dutch public water operators have extensive partnerships in Indonesia. In a similar vein, the Finnish bilateral development agency, FINNIDA supported the Hai Phong Water Supply Company in Vietnam with a PUP, i.e. training on improving their performance from 1990 to 2004. This was followed by institutional and organisational restructuring and performance improvement. For a further example of alternatives please see Box 1 for a case study from the Philippines.

Within this context, various alternatives have emerged. Using the political criteria of the Municipal Services Project, a global initiative that systematically explores alternatives to the privatisation and commercialisation

[7] A controversy in the case is that the Tamil Nadu democratsation experiment was financed through a World Bank loan. However, through the strong leadership of Vibhu Nayyar, the chief implementer of the project, the conditionalities imposed by the World Bank were rejected. The case highlights the limits and constraints which serve as the starting point for the search for alternative sources of financing, or for the redesign of projects or project components to make them amenable to combinations of funding modalities.

BOX 1: CASE STUDY ON THE PHILIPPINES

A deeper understanding of the elements and characteristics of the above alternatives can be exemplified through a case study. The Philippines makes an interesting case as it was an "early structural adjustment experiment by the International Monetary Fund and World Bank" (Chavez, 2011) and is one of the most aggressive liberaliser in Asia. But the prospective alternatives, in terms of operations, ranged in scope from village-level systems to those undertaken by a government-owned and controlled corporation and by a national-level association of water service providers (WSPs). The alternatives also had a variety of forms - from targeting service provision to the poor to providing service to all. Considering that many of the alternatives were micro in scope, obtaining the data involved a certain degree of familiarity with the cases, which provided the researchers a better contextualisation of the alternatives, but also limited the completeness by which the alternative could be discussed.

Water service in the Philippines is being delivered by water districts (WDs), which are government-owned and controlled corporations, local government-operated waterworks, privately-owned, and user- and/or community-managed water systems such as cooperatives, village-level water and sanitation associations (BWSAs) and rural water and sanitation associations (see Table 5 in Annex 1). Over the decades, the Philippine government has underinvested in water supply and distribution systems, thereby failing to fully provide safe, adequate and affordable potable water to its citizenry. In 1990, about 87% of the population had basic albeit unreliable access to safe potable water. Data from the Philippine Department of Interior and Local Government (DILG), on the other hand, indicated that, as of 2007, the various water supply providers in the Philippines were able to serve an estimated 9 million people (Interagency Steering Committee of the Philippine Water Supply Sector Roadmap Project, 2008). By 2008, level of access had further declined to 84% (National Statistical Coordination Board, 2010), threatening the achievement of commitments to the United Nations Millennium Development Goal (MDG) to attain 87% coverage by 2015.

of service provision in the health, water, sanitation and electricity sectors, alternatives can be grouped in the following:

Innovative models: Some alternatives to the commercialisation of water were found to be new and/or innovative models of water service delivery that were neither private nor old-style public. When mining companies applied to mine inside the Sibalom watershed located in Central Philippines, community-based water users, village and municipal governments, WSPs and NGOs banded together to oppose the approval of the applications. They also invited researchers to conduct studies to estimate the benefits of watershed protection as a means of opposing mining applications within the watershed area. In doing so, the major beneficiaries of the Sibalom watershed were able to gain deeper insights into the non-use and bequeath values of the ecosystem and effectively opposed the mining application.

Defending the public sector against commercialisation: The public water sector union, Alliance of Government Workers in the Water Sector, a PSI-affiliate and the Philippine Association of Water Districts (PAWD) separately firmed up their positions opposing the official policy to privatise financially viable water districts (Chiong, 2007: 58). Both organisations believed that water districts, as public entities, were still the best option in the delivery of water services. Moreover, through a series of trainings to enhance the capabilities of labour and management, participating water districts started to evolve a set of performance benchmarks for their own use. The information derived from the initial benchmarking exercises provided both labour and management with insights into their respective financial and operational status, which further strengthened their resolve to retain water districts in the public domain.

Reinvigorating public water services: When water utilities are not directly threatened by privatisation or commercialisation they normally are hard pressed to meet their performance targets and improve services or else they come under fire. Under such circumstances, some WSPs embarked on alternatives to reinvigorate service delivery of their public water systems. This was exemplified by the joint efforts of the village and municipal councils, NGOs and academic institutions of Salcedo, Eastern Samar in Central Philippines to delineate the boundary of their watersheds. Through their joint efforts, the village and municipal councils were able to pass appropriate legislation proclaiming the watershed as a protected area. The local legislation

equipped the village and the municipal governments with the legal mandate to formulate and implement programmes to ensure sustainable water supply and defend their sources against resource degradation.

Reclaiming public services: While there were no cases where water services that had been privatised were either renationalised or remunicipalised, as has been occurring in other parts of the world[8] there was an opportunity to renationalise the Maynilad Water Services Inc. (MWSI) in the Philippines in 2006 when it declared bankruptcy, and its former owners, the Lopez family, signaled their intention to return the private concession back to the state. But despite this intent, and campaigns by civil society and public interest groups for renationalisation, the Philippine government maintained its position to have the utility operated by a private corporation. However, some communities, although not directly engaged in legally reclaiming public services, established mechanisms to ensure that water services remain in the public domain or under community control.

Future alternatives: Some models are still being discussed for implementation. At the community level, the village government/councils of Patag and Gabas of Baybay, Leyte in Central Philippines initiated negotiations with the Baybay Water District to allow both communities to source water from a spring, to which the water district holds a water right. Moreover, the village councils requested to turn over the management of the reservoir, pipelines and other facilities within the village to them. In return, the village would undertake watershed conservation in the catchment that serves as a source of water supply, and protect the facilities installed by the water district for the production, treatment and distribution of water to the municipality of Baybay, Leyte. If implemented, such arrangements could address a major paradox – namely, that communities inside watersheds usually would not be served by the water utility. Moreover, the arrangement could strengthen partnerships between village governments and water utilities in the aspect of watershed management by host communities.

Navigating Critical Waters

These alternatives are clearly charting new paths and options for Asia's waterless population. These highlight the necessity and urgency of "a vote for public". This means that while there is no perfect alternative, an enabling institutional and policy environment – at appropriate levels – are important for an alternative to develop and flourish. Secondly, articulating and building alternatives are collective processes, most successful when inclusive, gender-just, transparent and participatory. As Vibhu Nayyar, founding mentor of the Center of Excellence for Change, puts it, "through a partnership between people who have suffered from lack of access to water and water agencies who believe in democratic functioning, can we ensure safe, equitable, and adequate water resources and ensuring sustainable water systems". This was universal, regardless of the type of alternatives. Thirdly, what underpins these alternatives are principles of 'good water governance', which include:

i. Water justice; ensuring that all communities have equal and equitable access to safe, affordable and sustainable water for drinking, fishing, recreational and cultural uses. At the heart of the issue is the concept of democracy and democratisation, of ensuring that everyone, especially the poor and marginalised, have a say on how they want their water governed.

ii. Water is part of the commons and a human right: water is life, a gift of nature and its nurturance remains the responsibility of everyone for the survival of the planet in the present and for the future. This nurturance is rooted in the respect of all living cultures, values, and traditions that sustain the global water commons.

iii. These rights can be allocated, framed, protected and realised in an equitable and sustainable way, as long as those who are historically marginalised and poor are part of the process. Finally, creative, appropriate, not-for-profit and mutually beneficial partnerships between Northern, in particular European public water operators, and Southern utilities are possible as exemplified by public-public partnerships. This would be a far more positive interaction than prying open Asian markets through the EU investment and free trade agreements.

[8]see www.remunicipalisation.org

RECOMMENDATIONS

The innovative provisioning of water and resource management need only be cultivated, especially amid a neoliberal environment of investment liberalisation and continued privatisation initiatives. An advocacy for alternatives is necessary. In particular, the following recommendations should be explored:

- Institutional and policy reforms—including legislative reform. With an enabling environment, alternatives to commercialisation of water resources and services can thrive. Policy and institutional reforms become even more relevant when combined with on-the-ground problem solving. As exemplified above, pushing for reforms include creating platforms, spaces, and processes where various stakeholders, including water activists and water justice movements, can come together to promote and advance alternatives.

- Civil society organisations in donor countries, should enlighten their respective governments, including international aid agencies, of the impacts of funded projects on local communities and populations from the perspective of water consumers. This mechanism would provide excellent opportunities for local utilities and communities to show existing water resources and services management practices that conform to local conditions. A positive example is the EC's funding for public-public partnerships in African, Caribbean, and Pacific countries- €40 million from the 2009-2013 EU-ACP Water Facility (EUWF), which is 20% of the total budget. This could mark the beginning of a shift in EU development policies for the water sector. This was the result of years of campaigning of European groups such as Transnational Institute, European Federation of Public Service Unions, World Development Movement, CEO and others against the EU's use of aid money to promote water privatisation and demanded support for public-public partnerships (PUPs) instead.

- Asian utilities and water sector advocates should encourage more study visits among and between water consumers, WSPs, NGO workers and members of academy to strengthen mechanisms for multi-faceted analyses of alternatives. The resulting discourses could serve as a counterbalance to the predominance of neoliberal frameworks without necessarily rejecting them in a knee-jerk fashion, and hopefully introducing alternative perspectives into the sector.

- Putting on hold and rethinking existing EU bilateral and regional investment and free trade agreements that intend to pry open Asian markets, especially essential services such as water. Asian countries should be given the flexibility to choose options that are appropriate for their countries. The "Seattle to Brussels Network" in collaboration with campaigns in Asia such as the "EU-ASEAN FTA Campaign" network have developed comprehensive proposals on this critical issue.

On a final note, the alternatives to privatisation and commercialisation of water reflect the need and desire of water justice movements to recreate societies, to collectively come up with a new paradigm and 'vision' of how water should be valued and managed, and to fire up a politicised citizenry as well ordinary people to defend public interest through collective action. This new paradigm should reclaim, defend and re-establish water as commons, making this resource not only an issue of social justice but also of democratisation.

ANNEX 1. TABLES

TABLE 1. WATER RESOURCES PROFILE OF ASIA

Subregion	IRWR* as of 2005 (cu km)	ARWR** as of 2005 (cu km)	Water Resources Dependency Ratio*** as of 2005	Per Capita ARWR**** as of 2006 (cu m)	Water Poverty Index***** as of 2002
Central Asia	41	221	44	4121	62
East Asia	682	3441	4	4670	58
South Asia	216	3888	25	7116	55
Southeast Asia	567	7063	24	18,864	58
Asia	**377**	**14,612**	**25**	**8693**	**58**

Source: World Resources Institute (WRI) in Dargantes et al. 2011

**IRWR refers to the average annual flow of rivers and recharge of groundwater or aquifers as generated by endogenous precipitation or internal rainfall.*
***ARWR refers to the amount of water that is actually available to a country as indicated by the amount of internal rainfall plus inflows from upstream areas.*
****Water Resources Dependency Ratio refers to the ratio between the renewable water resources originating from outside of a country and the IRWR, with the amount of water allocated to countries in downstream areas being excluded in the computation.*
*****Per Capita ARWR refers to the theoretical maximum amount of water that is actually available per person using the 2006 population as basis for the computation.*
******Water Poverty Index refers to the order-of-magnitude estimate based on a country's position as determined by such indicators as resources, access, capacity, use and environment; as a composite measure, the WPI indicates the impact of water scarcity and water provision on human populations.*

TABLE 2. PROFILE OF POPULATION SERVED BY IMPROVED WATER SUPPLY

Subregion	Total Population served as of 1990 ('000)	% Coverage of Total Population as of 1990	Total Population served as of 2002 ('000)	% Coverage of Total Population as of 2002	Projected Total Population Served by 2015 ('000)	% Coverage of Projected Population by 2015
Central Asia	34,339	91	37,734	91	42,223	91
East Asia	985,171	81	1,193,722	86	1,476,209	87
South Asia	822,188	79	1,242,036	84	1,699,788	90
Southeast Asia	305,927	76	405,098	75	494,228	88
Asia Total	**2,147,625**	**82**	**2,878,590**	**84**	**3,712,448**	**89**

Source: WHO (2006) cited in Dargantes et al. 2011.

TABLE 3. PROFILE OF ACCESS TO IMPROVED DRINKING WATER SOURCE IN ASIA

Subregion	% of 1990 Population with Access to IDWS	% of 2004 Population with Access to IDWS	% of 2006 Population with Access to IDWS	MDG Target 10 to be attained by 2015 (%)
Central Asia	86	66	No Data	No Data
East Asia	83	84	88	84
South Asia	69	80	87	87
Southeast Asia	82	81	86	87
Asia Total	**80**	**78**	**87**	**86**

Sources: WHO and Unicef, (2004: 24-31); UN (2008: 42) in Dargantes et al. (2011).

TABLE 4. WATER UTILITIES IN ASIA

Subregion	Number of Water Utilities Listed	Number of Utilities with Data	Average Number of Connections	Average Number of People Served
Central Asia	3	3	103,056	1,238,865
East Asia	8	8	961,361	5,052,414
South Asia	13	13	320,590	3,685,044
Southeast Asia	622	147	61,731	243,046
Asia Total	**646**	**171**	**12,4963**	**799,881**

Source: Authors' surveys in Dargantes et al. (2011)

TABLE 5: PHILIPPINE WATER UTILITIES BY TYPE OF MANAGEMENT MODEL AS OF 2005

Type of Management Model	Number*	Percent	Number**	Percent
Water District (WDs)	430	26.24	***580	9.24
Local Government-Operated Waterworks	700	42.71	1000	15.92
Privately-Operated Water Service Providers	9	0.55	900	14.33
Water Systems Managed by Users and/or Communities	500	30.51	3800	60.51
Total	**1639**	**100.00**	**6280**	**100.00**

**Source:* Southeast Asian Water Utilities Network and Asian Development Bank (2005)
***Source:* Inter-Agency Steering Committee (IASC) (2008)
****Data as of 2003-2004*

ANNEX 2. LIST OF PUBLIC-PUBLIC PARTNERSHIPS IN ASIA

Home Country	Location	External Partner	External Country	Water/ Sanitation	Year	Finance	Type
Bangladesh	Dhaka	Korea Water (Daejon)	South Korea	Water	2008	ADB	Int'l
		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2005	JICA	Int'l
Bhutan		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2006	JICA	Int'l
Cambodia		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2003	JICA	Int'l
	Siem Reap	Phnom Penh Water Supply Authority	Cambodia				Nat'l
China		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2004	JICA	Int'l
	Beijing	Tokyo Metropolitan Sewerage Bureau	Japan	Sanitation		JBIC	Int'l
	Municipal	Municipal Companies	China	Sanitation			Nat'l
India		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2007	JICA	Int'l
	New Delhi	New Delhi Jal Board	India	Water	2004+		Nat'l
	Maharashtra	Tamil Nadu	India		2008		Nat'l
Indonesia	Bogor region, Java	Duinwaterbedrijif Zuid-Holland	Netherlands	Water	2006	EVD	Int'l
	Deli Serdang, et.al.	Tirtanadi PDAM	Indonesia		1999		Nat'l
	Banten, West Java	Amsterdam Waternet	Netherlands				Int'l
	Kabupaten, Bogor	Duinwaterbedrijif Zuid-Holland	Netherlands	Water	2006		Int'l
	North Sumatra	Duinwaterbedrijif Zuid-Holland	Netherlands		2004		Int'l
	Makassar	Amsterdam Waternet	Netherlands				Int'l
	Medan	Amsterdam Waternet	Netherlands				Int'l
	PDAM Pantianak	Oasen	Netherlands		2003		Int'l
	Pekanbaru	PWN	Netherlands				Int'l
	Tiritinadi	Indah Water Konsortium	Malaysia	Sanitation	2007	USAID	Int'l
		Eau de Paris	France		2005	NGO	Int'l

Iraq		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2007	JICA	Int'l
Japan	Various	Internal Sanitation PuPs	Japan	Sanitation			
Laos		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2003	JICA	Int'l
Mongolia		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2006	JICA	Int'l
Myanmar		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2007	JICA	Int'l
Nepal		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2007	JICA	Int'l
Pakistan		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2003	JICA	Int'l
Palestine		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2003	JICA	Int'l
	Jenine, Tulkeram, et.al.	Eau de Paris	France		2008		Int'l
Papua New Guinea		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2005	JICA	Int'l
Philippines		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2004	JICA	Int'l
	Cebu	Visayas State University, AGWWAS, PSIRU-Asia	Philippines	Water/ Sanitation	2007	NGO	Nat'l
	Cebu	City West Water, Melbourne	Australia	Water	2008	ADB	Int'l
	Various	LWUA	Philippines				Nat'l
Saudi Arabia		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2005	JICA	Int'l
Singapore	National	Ngee Ann Polytehcnic, PUBEU (Union)	Singapore	Water	2002		Nat'l
	National	SWCC	Saudi Arabia	Water	2005		Int'l
Sri Lanka		REG (Grenoble)	France		2004		Int'l
		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation		JICA	Int'l

Syria		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2004	JICA	Int'l
Thailand		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2005	JICA	Int'l
	Krabi	King County WTB	USA	Sanitation	2007	USAID	Int'l
Vietnam		Osaka, Sapporo, East Hiroshima, Kitakyusyu	Japan	Sanitation	2003	JICA	Int'l
	BIWASE Binh Duong	PPWSA	Cambodia		2008	ADB	Int'l
	Da Nang	Haiphong Water Supply Company	Vietnam		2008	ADB	Nat'l
	Ha Long	Indah Water Konsortium	Malaysia	Sanitation	2007	USAID	Int'l
	Hai Phong		Finland		1990	FINNIDA	Int'l
	Ho Chi Minh City	Bangkok MWA	Thailand	Sanitation		ADB	Int'l
	Hue	Paris SIAAP	France	Sanitation			Int'l
	Hue	Yokahama Waterworks Bureau	Japan	Water	2007	JICA	Int'l
	Hue, Ho Chi Minh City	Yokahama Waterworks Bureau	Japan	Water	2003	JICA	Int'l

Source: Hall et al. 2009: pp14-17.

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