

June 2007

His Royal Highness Willem-Alexander, the Prince of Orange  
Chairperson of the United Nations Secretary General's Advisory Board on Water and  
Sanitation (UNSGAB)

Dr. Anna Tibaijuka, UN Under-Secretary General and Executive Director of UN-  
HABITAT

Your Royal Highness, Dr. Tibaijuka,

*The undersigned are part of the Reclaiming Public Water (RPW) network, an international alliance of civil society campaigners, trade unionists, academics and public water utility managers. The RPW network exists to promote improved water delivery through progressive reform approaches, including public-public partnerships between public water operators.*

With this letter we would like to express our strong support for the proposed UN mechanism for enabling Water Operator Partnerships (WOPs). Empowering the public sector through creating not-for-profit partnerships between public water operators can bring significant progress for the one billion plus people in the developing world who do not have assured access to safe drinking water, not the least in peri-urban and rural areas.

The WOPs initiative offers a new and fresh approach, after a decade dominated by unrealistic expectations about the contribution that the private sector could make to solve the water crisis of the world's poorest. Whereas numerous instruments have been developed in recent years for the promotion of privatisation in the form of public-private partnerships (PPPs), the WOPs initiative is unique in its clear focus on enabling public water operators to strengthen and support each other. We believe the WOPs are one of the most important innovations in recent history. This creates a historical opportunity - and a collective challenge - to create a process and institutional mechanisms that truly reflects the values we all believe in, including transparency, accountability, inclusiveness, responsiveness and democracy.

Notwithstanding our strong support for the WOPs proposal, we would like to express some concerns about the process to shape the WOPs mechanism as it has evolved over the past year, and to make some suggestions to help ensure that the final mechanism is as effective as possible, and maintains the central focus on public utilities in the global south.

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As you will know, when the UN Secretary General's Advisory Board first recommended water operator partnerships, via the Hashimoto Action Plan, they said:

*"Cooperation between water operators, or Water Operators Partnerships (WOPs) can be useful mechanisms for providing support for capacity building of public water operators. Given the preponderance of public sector undertakings, it is envisaged that most operating partnerships will be between public operators. However, we do not exclude private sector operators, NGOs or those who can contribute to the performance of public water undertakings on a not-for-profit basis."*

We believe that this statement is important in that it confirms some core principles for these partnerships, namely the emphasis on **public utilities** and that all participants should take part on a **not-for-profit** basis. We understand that the not-for-profit principle in particular was strongly supported recently at the regional seminar held in recently in Johannesburg to develop water operator partnerships in Africa. We are of the view that these principles are fundamental to the success of these partnership schemes. As pressures emerge to allow the use of the WOPs mechanism for commercial purposes, the not-for-profit character of the WOPs must be vigorously maintained.

Keeping the aims of the WOPs mechanism in mind, it is vital that government policy-makers and public water managers are given a central role in the whole process. Indeed, since the WOPs mechanism is meant to facilitate interaction and exchange among water operators, it is imperative that the end users - the public water operators themselves - are enabled to take the lead in shaping the mechanism. We would argue that the active involvement of public water managers from developing countries in this process is of particular importance to ensure that the WOPs mechanism optimally contributes to the MDGs. It is our impression that the process until now has been lacking in these qualities.

In recent months, a program of regional events has been organised to begin an outreach process. External funding (from the UK and other donors) was given to help the Asian and African workshops fund utility managers to be able to attend. However, we have concerns about the degree of transparency and inclusiveness in the organisation of some of these events. As a result of these shortcomings, important people from key utilities as well as from civil society groups were inadvertently excluded. Moreover, there was an over-reliance on a number of international financial institutions that have a reputation for operating in ways that are not in tune with the above-mentioned WOP principles. This has created a disincentive for some to participate.

We would therefore like to make the following proposals to you. We hope that you will endorse these and will ensure they are taken forward:

- The creation of a reference group of public water managers and water unions that are strongly committed to and champions of the public-public partnership approach.

This reference group, which should have strong representation of actors from developing countries, must be funded to enable it to meet regularly. It must be recognized as a group with influence and authority by those taking the WOPs proposal forward within UN Habitat and elsewhere.

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- Priority must be given to achieving high levels of transparency around the WOPs mechanism as well as to starting a discussion on how to secure accountability and monitoring of individual partnerships. As part of this, the important role that civil society can play in this area must be recognised and nurtured. One idea could be that, through a working group, CSOs and others would develop recommendations on these areas.

We have other suggestions about how the process to develop WOPs should proceed henceforth. However, we believe these two constructive proposals are of fundamental and immediate importance and we hope that you will help ensure they are taken forward.

We look forward to hearing from you.

Yours sincerely,

Corporate Europe Observatory - The Netherlands  
Transnational Institute - The Netherlands  
World Development Movement - The UK

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June 28, 2007