

# Ramon Alikpala

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25 March 2010

**Catarina de Albuquerque**

Independent Evaluator

Office of the United Nations High Commissioner on Human Rights

ESCR Section

Special Procedures Division

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Dear Ms. de Albuquerque,

I write as the former Executive Director of the National Water Resources Board of the Philippines, a national government agency mandated to regulate over 400 privately-owned water service providers in the country.

I was informed that the OHCHR is undertaking a study on the issue of human rights obligations related to access to safe drinking water and sanitation and that the Independent Evaluator is preparing a report on Human Rights to Water and Sanitation and Private Sector Participation in the provision of water and sanitation services.

I wish to contribute my views on the matter to assist the study

While we recognize that the provision of access to water for every citizen is an obligation of government, we also recognize that government may not have the resources necessary to undertake this obligation. Hence, the private sector may choose to undertake this social responsibility to provide this service where capable, when necessary.

Yes, there has been much criticism of multi-nationals coming into developing countries to lay their brand of water service. But these models are few and too much focus has been laid on these models and are not indicative of the sector at large. Private participation comes in many other forms. When a real estate developer, seeing that his development will not be adequately served by the local utility, chooses to lay his own pipes to provide the necessary water service, this is private participation in action. When empowered private citizens in a neglected community come together to form a cooperative or association to address the water concerns of their community, this is also private participation in action.

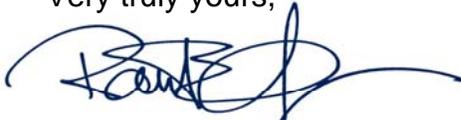
In the Philippines, private water operators are regulated. Publicly-run utilities are not. What did we learn? We learned that regulated private utilities generally outperformed publicly-run utilities that are unregulated. Because of target levels set by the regulator, service levels were better with private utilities, they were more efficient, their customer service was better, there was more transparency in their operations and their rates were competitive with public utilities.

But more importantly, we learned that there are also unsuccessful private models as well as successful public models, and vice versa. The case of Manila Water, a private utility and the Phnom Penh Authority, a public utility in Cambodia come to mind. The success of these water service providers were attributed not to their model structure but rather, to good leadership and effective management. And this is true for all water utilities.

To assist your study, I encourage you to visit the study undertaken by The Water Dialogues. The Water Dialogues was an international study to review the issues surrounding private sector participation in water and sanitation delivery. The study was undertaken in Indonesia, Brazil, South Africa, Uganda and the Philippines and was completed late last year.

If the issue of human right to water is entered into the equation, I strongly feel that it is a bigger violation of one's human rights if water is denied because a private operator, capable of providing that service, is prevented from undertaking it.

Very truly yours,



**Ramon Alikpala**  
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