



Moving from Protest to Proposal



Building the Capacity of
Consumer Organisations
to Engage in Urban Water
Supply and Sanitation Sector
Reform in Africa

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**BUILDING THE CAPACITY OF CONSUMER
ORGANISATIONS TO ENGAGE IN URBAN
WATER SUPPLY AND SANITATION
SECTOR REFORM IN AFRICA**



Published June 2004

Jointly authored and published by Consumers International and WSP

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Cover pictures © WSP

Designed and printed by Imagetek (Pvt) Ltd, P.O. Box CY1139, Causeway, Harare, Zimbabwe. Tel.: (263-4) 792529

About Consumers International

Consumers International is an independent, non-profit and non-political federation of consumer organisations formed in 1960, and currently linking 250 organisations in 115 countries. The organisation has an observer status with the United Nations Economic and Social Council and its specialised agencies such as FAO, WHO, Codex Alimentarius etc, as well as with regional and sub-regional institutions such as the Economic Community of West African States (ECOWAS). The Africa Office (ROAF) co-ordinates and provides support through research, information networks, publications, regional and international seminars, workshops, etc. to more than 120 organisations in 46 countries in Africa. The main function of the ROAF is to build and develop the consumer movement in Africa and to represent consumers at regional and international fora.

www.consumersinternational.org

About the Water and Sanitation Program

The Water and Sanitation Program (WSP), is a multi-donor trust fund program with the main funding partners being the governments of Australia, Austria, Belgium, Canada, Denmark, France, Germany, Luxembourg, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom, and the UNDP and the World Bank. The Program's mission is to help poor people gain sustained access to water supply and sanitation (WSS) services. Administered by the World Bank, WSP works in partnership with country client governments, external support agencies and other leading support agencies to improve various institutional, technological and service delivery options and to promote large-scale programs to improve service delivery to the poor. It also identifies and analyses key sector problems, identifies solutions, documents and shares lessons from the field and disseminates information at local, national, regional and global level. For more information please visit: www.wsp.org.

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Foreword

AMADOU KANOUTE, REGIONAL DIRECTOR OF CONSUMERS INTERNATIONAL AFRICA OFFICE (ROAF)

Consumers International (CI) has been involved in water issues because affordability, quality and choice are key consumer concerns within any given services sector. The focus of consumer organizations has been to ensure that consumers have access to affordable and safe water and that consumer organizations participate in the regulatory framework through some form of representation or formal and informal consultation mechanisms.

As CI and its members could not get their voice heard in the first generation of water and sanitation sector reforms undertaken by our governments in Africa, we decided to get to the ground to pilot projects on alternative approaches that would facilitate accessibility (financial and geographical) to water and sanitation.

In Senegal, ADEETels through a European Commission grant conducted a demonstrative project whereby it provided 52 water points and 600 home sewage systems for residents in three peri-urban districts of Dakar. In the Chadian capital of N'djamena where only 2.8% of the populace has access to water through the taps, the ADC of Chad worked with local community groups to build a water point, which now serves 2000 households in one district of N'djamena. The project cost was US\$2000 dollars.

Then the time came for a change in focus. The African consumer moved away from demonstrating alternative models for access to water and sanitation towards the establishment of effective public interest review and regulation.

Consumer participation is one very important aspect of this. For consumers to effectively participate in water and sanitation sector reform they need the knowledge, skills, access to information and the forum to facilitate their participation.

Statistics of water sector reviews had indicated that non-connected consumers in the informal and peri-urban were paying as much as 3 to 10 times more for water because of ineffective regulatory mechanisms and because of policy which were not targeted to take into consideration the needs of the less fortunate in our societies. This illustrated the need to involve civil society organisations and the wider public in a debate on strategies and options for the reform in order to develop sustainable policies that are well targeted and which integrate pro-poor strategies.

Consumers International is not for or against any model of utility management, be they public or private or any degrees in between. Our membership is too diverse for us to promote any specific type of ownership. Consumer

organisations assess the options based on their merit in delivery and impact in making water and sanitation available to consumers; particularly the most disadvantaged ones. "This open minded approach to ownership, which most development partners have expressed, is not often matched by their negotiations in national situations. We believe that the question of ownership is one for national governments to decide in consultation with their citizenry¹." These may change from country to country and indeed from city to city, taking into account what works best to ensure consumer access, given local conditions and peculiarities.

The objectives of our partnership with the Water and Sanitation Project was to improve access and control by disadvantaged and marginalized consumers to clean water and sanitation. This was to be done through the enhancement of the capacity of consumer organisations to effectively engage in policy debate and formulation whilst at the same time mobilising communities for specific projects and advocacy. We are happy with the outcome of the project and the impact it has had, as you will read in the report.

We would like to acknowledge all participating organizations in this project, ADEETels of Senegal; ADC of Chad; CIN of Kenya and ZACA of Zambia. CI staff in the various regional offices: in Africa, Latin America and Europe, also inputted into the elaboration of this document. This has truly been an excellent exercise in cross fertilisation of experiences and ideas within the global consumer movement. The staff and consultants of the WSP who inputted their time, effort and skills towards this project must also be acknowledged.

I would like to thank all our project partners, who have made this project a reality. These include the Department For International Development of the United Kingdom (DFID), the African Capacity Building Foundation (ACBF), the Water and Sanitation Programme and NORAD, the Ministry for Foreign Cooperation of Norway.

Finally, let me commend the ROAF staff, especially Nessie Golakai and Ibrahima Aidara, for their unstinting efforts in coordinating our work in the area of utilities – which brought together so many players- and for drafting the synthesis report.

¹ Speech by CI President, Marilena Lazarrini to the World Bank, Washington. May 4, 2004

PIERS CROSS, REGIONAL MANAGER, WATER AND SANITATION PROGRAM - AFRICA

Consumer engagement is arguably the weakest pillar of the reform of urban water and sanitation institutions currently underway in many African cities. Early reform initiatives neglected consumers, and the consumer movement is only now beginning to engage in the sector to give water and sanitation consumers an effective voice.

This project, which looked at methods and strategies for building the capacity of consumer organisations in urban water supply and sanitation, derives from a joint collaboration between Consumers International (CI), the Water and Sanitation Program (WSP). CI and WSP collaborated on this project to learn about what approaches would accelerate sustainable service delivery, especially to the poor and marginalized in African cities, in order to be able to inform future institutional reforms.

WSP has been increasingly involved in pro-poor urban service reform. WSP comes to the arena of consumer engagement with a proven track record in participatory and community engagement approaches, and an eagerness to learn more about the established consumer movement. We are very pleased that this project stimulated the exchange of experiences and ideas both within the global consumer movement and between the consumer movement and water and sanitation experts.

This report illustrates the scale of the challenge facing organizations that wish to establish effective consumer representation in African water and sanitation service management, but, we hope, also presents the starting point for the development of more effective approaches. For consumers to participate effectively in water and sanitation sector reform they need better knowledge of the sector and effective mechanisms to facilitate their participation. We hope that this report will encourage both consumer bodies and service providers alike to put more effective methods of consumer engagement into place.

WSP wishes to offer its sincere thanks to all the organizations that contributed to and supported this project. In particular thanks are due to the four participating consumer organizations, CI staff, and the staff and consultants of the WSP - particularly the contribution of Clarissa Brocklehurst, who managed the project for WSP and helped draft the synthesis report. We would like to thank our financing partners, particularly the World Bank-administered Bank Netherlands Water Partnership and the donors of the WSP.

Acronyms and Abbreviations

ADC	Association de Défense des Consommateurs du Tchad
ADEETeS	Association de Défense des Usagers de L'Eau, de l'Electricité, des Télécommunications et des Services du Sénégal
BNWP	Bank Netherlands Water Partnership
CI	Consumers International
CIN	Consumer Information Network of Kenya
CI-ROAF	Consumers International Africa Office
CI-ROLAC	Consumers International Latin America and the Caribbeans Office
CO	Consumer Organization
CSO	Civil Society Organization
DFID	Department for International Development (UK)
NWASCO	National Water and Sanitation Council (Zambia)
VAT	value-added tax
WSP	Water and Sanitation Program
ZACA	Zambia Consumers Association

Chapter 1: Introduction

1.1 Context

Water is essential to life, to development and to every aspect of human endeavour. Though access to water has improved for many African consumers living in urban areas, the rapid pace of urbanization threatens to offset these gains. The region will experience a quadrupling of its urban population from 130 million in 1990 to 500 million in 2020².

In many African cities, the water treatment, distribution, and metering systems are antiquated and have suffered from a lack of maintenance. This results in great inefficiencies, including high water losses. Added to this are weak administrative systems for billing and revenue collection. Together this means that much water is “unaccounted for” – that is, the utility never receives any payment for it. The result is the familiar scenario of a utility which cannot achieve financial health, struggles to provide its existing customers with an adequate level of service, and cannot even contemplate reaching out to the un-connected.

In order to improve the water supply and sanitation system and meet the growing demand for water, many African governments and municipalities are contemplating or have undertaken some form of urban water and sanitation sector reform. This usually requires a radical overhaul of legal, regulatory and institutional frameworks and often entails some form of public-private partnership (even though private sector participation can be a controversial and emotive issue). Cost recovery is often one of the main objectives of the reform, in order to ensure financial sustainability for the agencies that deliver water and sanitation services. However many governments have done little to facilitate dialogue with civil society on the most appropriate nature and form of these reforms or to solicit inputs as to how the interests of different segments of society can best be recognized and everyone’s needs addressed.

Within this framework of rapid urbanization and urban water sector reform, competing demands for water for industrial and commercial and domestic use continue to outpace the existing capacities. Industrial and commercial needs are often prioritized at the expense of consumer demands, particularly those of poor and disadvantaged consumers who live in informal, spontaneous and peri-urban settlements, which is also where most of the population growth is expected to occur.

Given the above, Consumers International Africa felt that the interests of consumers, particularly the poor and vulnerable, were not being given a platform in the urban water reform process. It was felt that there was therefore

a need to develop a project which would increase the capacity of consumer organizations (COs) to assess the water reform process from a standpoint of consumer protection, and articulate the options and strategies to ensure consumer protection.

The objective of the project was well summed up by one of the partners, who commented on the need for consumer organizations to “move from protest to proposal” – leaving behind emotional protest to focus on concrete and substantive proposals to engage with the water reform process and champion the needs of the most vulnerable consumers. .

1.2 The Consumer Movement in Africa

In order to fully understand the context of the project, it is necessary to understand the consumer movement as a whole, and its remarkable development in Africa. The modern consumer movement really began in the late 19th century in the United States with the beginning of mass production of products and bulk distribution over long distances, resulting in the need for consumer awareness of product quality and safety. The Consumer Union was created in the United States in 1936 and by the late 1950s many European countries had also established consumer organizations. These first began to be federated in the early 1960s as the International Organization of Consumers Unions (IOCU), now Consumers International. Consumer movements in other parts of the world - Africa, Asia and Latin America - began in the 1960s and beyond.

Perhaps in no other area in the world has the consumer movement grown as rapidly as in Africa. In 1991, Consumers International was working with 21 groups in 16 African countries. By October 1995, that number increased to 82 organizations in 39 countries. In 2000, 45 countries out of 53 in Africa hosted a consumer organization – more than 120 independent organizations in total. Although some countries - Kenya, Mauritius, South Africa, Tunisia and Zimbabwe - have strong organizations that were established about 20 years ago - the median age of a consumer group in Africa is less than 10 years old. This means that although there is a great deal of potential, there is also a great deal of inexperience.

The growth of the consumer movement in Africa can be attributed to a number of interconnected factors:

- The end of totalitarian regimes in many African countries and the development of multi-party political systems. Civil society organizations flourished in this atmosphere of increased political tolerance.

²UN Habitat 2001 Water for African Cities.

- The implementation of structural adjustment programs and the diminishing role of governments as providers of essential goods and services meant consumers felt more vulnerable and needed more information than in the past.
- The feeling on the part of consumers that trade liberalization must be accompanied by global rules and regulations.
- The interest of foundations and other donor institutions in consumer and other civil society groups to press for good governance and private sector performance, as well as to improve public awareness on citizens' rights and responsibilities.
- The work of Consumers International's Office for Africa (ROAF) which aided in establishing new consumer organizations in several African countries and enhanced the visibility and recognition of consumer organizations.

1.3 The Project Design

CI's project "Empowering Vulnerable Consumers to Access and Influence Water and Sanitation Services" was conceived and received joint funding from the United Kingdom's Department for International Development (DFID), the African Capacity Building Foundation (ACBF) and the Water and Sanitation Program (WSP) supported by the Bank Netherlands Water Partnership (BNWP). The project commenced in January 2002. Its aims were to improve the access and control by disadvantaged consumers over water and sanitation in African countries by supporting the involvement of consumer organizations in the sector. The project encouraged consumer organizations to be contributors to reform processes and to represent the interests of poor consumers in the water and sanitation sector.

Consumers International Africa Office (CI-ROAF) provided overall project coordination. The project partners were:

- Association de Défense des Consommateurs du Tchad (ADC);
- Consumer Information Network of Kenya (CIN);
- Association de Défense des Usagers de L'Eau, de l'Electricité, des Télécommunications et des Services du Sénégal (ADEETeS); and
- Zambia Consumers Association (ZACA).

This synthesis document is one of the outputs supported by WSP's contribution to the CI-ROAF project. WSP's main input into the project was in the form of capacity building and training elements and is part of a wider WSP project entitled "Urban Water Supply and Sanitation Sector Reform: Building Capacity for Civil Society Engagement" supported by the Bank Netherlands Water Partnership (BNWP)³.

The project contained the following elements, in order of implementation:

1. **Country Reviews** to provide an overview of the provision of water and sanitation services, the legislative and regulatory framework and recommendations for positive action/change that would benefit vulnerable, marginalized consumers/non-consumers, and to begin a process of self-learning on the part of the consumer organizations in each country.
2. **National Stakeholders Meetings** to bring together all stakeholders in the water sector. The aim was to present the country review for verification and improvement and also to help define a consumer role and plan of action on engagement in water sector.
3. **Capacity Building and Training** on water sector management and issues as well as communication skills. Many consumer organizations lack the knowledge and skills to intervene effectively in the discussions around water reforms. The aim of the training was to demystify the terminology and workings of the water sector so as to enable consumer to be informed participants in the debate.
4. **Advocacy and campaigns** by partner consumer organizations and the national network participants, leading to a better understanding among civil society and governments of the impact of local and national legislation/regulation and practices on the water and sanitation services on vulnerable consumers and options which would help improve their access to these services.
5. **Consumer Awareness and Education** provided to at least one community in each of the four countries. This training was related to their water and sanitation rights and responsibilities. The training was also designed to support and inform their local and national efforts to improve their access to and control over their water and sanitation services, and to provide practical advice and solutions.
6. **Pilot Projects** were undertaken in each of the above communities aimed at improving the services available. These projects varied in nature from local advocacy and representation campaigns to implementing local, affordable, equitable water and sanitation services. The type of project chosen was guided by the participatory research of the first year.

1.4 Objective of This Report

This report was compiled at a drafting synthesis workshop organized in Lisbon, Portugal from October 11th to 12th 2003, at which representatives of the Consumers Organizations from each of the four project

³WSP has created a website for this project which can be visited at www.wsp.org/05_Initiatives_cbpcs.asp.

countries, CI-ROAF and WSP participated. The aim of the drafting workshop was to synthesize the regional experience from the project. This included assessing models of engagement for COs in water reform process and examining how these models can be put to work for other COs regionally and globally. In order to do this, workshop participants presented their experiences to date in water sector reform nationally and analyzed the effectiveness of these strategies for empowering consumers, and increasing their representation and access to water.

A preliminary summarized draft of a general model and strategy for involving consumers organizations in sector reform was presented at the Consumers International World Congress workshop on "Public Utilities and Consumer Empowerment" on October 14th in Lisbon for comments. A regional dissemination workshop was organized in Dakar, Senegal from March 15th to 16th,

2004 at which the concept of a general model and strategy for involving consumer organizations in sector reform was presented to a wider audience of 24 consumer representatives from 20 countries. Experiences of these COs in the defining and advocating for the consumer interest in water sector reform were shared, and these experiences have also been integrated in the report. The report thus contains many examples from both the project countries and other countries in the region.

This report is intended for use by other consumer organizations, wider civil society and public interest institutions, government agencies, donors, academics and other institutions with interest in the water sector. It is hoped that it will also provide useful insights and information for organizations and agencies seeking to increase consumer participation in the water and sanitation sector.

Chapter 2: In-Country Activities

Consumer organizations have conducted a range of activities within the scope of this project. The activities have differed according to the local context, hence the impacts have also been varied. Below is a summary of the prevailing situation at the time the project was undertaken, and a summary of the outcomes of activities. A more detailed description of activities and outcomes can be found in Annex 1.

2.1 Chad

Access to water is very limited in Chad, with a national coverage of only 23.5% (17% in the rural areas and 30% in urban areas). Only about 2.8% of households in Chad have taps in their homes. The remaining households obtain water from public standposts, wells, surface water, rain water and water vendors.

Through its country review and national stakeholder meetings the Association de Défense des Consommateurs (ADC) (the Association for Consumer Detectors) presented a memorandum from consumers on the key issues and concerns for consumers and recommendations to the Prime Minister and the President of Parliament. ADC followed this up with a peaceful march from August 19 to 20 August 2003 demanding water and electricity as basic consumer rights. More than 3000 consumers participated. Major recommendations from ADC were accepted by the Chadian government and integrated in the national water and sanitation policy document.

2.2 Senegal

Senegal has undergone an extensive water sector reform process which has resulted in coverage and service improvements. However residents of many peri-urban districts (who are) outside the formal network or cannot afford connection fees have to depend on water vendors, and pay several times the rates most connected households pay. Sanitation coverage remains low; whereas access to potable water now stands at 87% of the urban population only 37% is connected to a sewage system.

Association de Défense des Usagers de L'Eau, de l'Electricité, des Télécommunications et des Services du Sénégal (ADEETeS) (Association for protection of users of water, electricity, telecommunication services of Senegal) through its country review and national stakeholders meeting, identified key recommendations including the need to improve sanitation and review the subsidy regime in order to better target poor consumers. ADEETeS has now been nominated to serve on the management committee for the next phase of the reform process in Senegal.

2.3 Zambia

In Zambia, the rate of access to water is 70% and 43% respectively in the urban and rural sectors. Many residents of peri-urban settlements without access to the water network are forced to rely on water vendors. Most connected consumer pay flat rates for water – which are not dependent on the amount they use - and this has resulted in a lot of water wastage in the community. Government and consumers alike owe huge arrears to the utilities and this has impacted on their ability to extend services.

These and other issues were highlighted in the country review carried out by the Zambian Consumers Association (ZACA). ZACA presented its findings and recommendation at a national stakeholder meeting, and also took part in a live TV discussion with the water regulatory body and the association of water utilities to discuss the issue of water and consumers. ZACA has been appointed a member of the National Water Supply and Sanitation Council in Zambia (NWASCO), the body which regulates the sector.

2.4 Kenya

In Nairobi, the capital city of Kenya, approximately 60% of the poor live in informal settlements. In these areas, water kiosks and standpipes remain the principal sources of water. The Nairobi City Council has a recommended retail price for water at such vending points, however *there is inadequate enforcement of this policy*, and the regulatory framework on pricing water in informal settlements is weak. Consumers therefore end up paying as much as ten times more for water compared to higher-income consumers in formal settlements. Consumers Information Network (CIN) decided to focus its country review and activities on this issue.

The Consumer Information Network (CIN) launched an advocacy program with a series of letters to the government. It has also been working closely with a local informal settlement called Korogocho to facilitate the construction of water and sanitation points.

CIN has now been appointed as a member of a government-civil society consultative committee in charge of proposing a pro-poor strategy for the planned Integrated Water Management Policy.

2.5 Common Themes

Each organization has focused on a specific themes and issues which are of priority in their national and local setting. However across these four countries there are some common themes:

- Access is the biggest priority - especially for consumers in peri-urban and informal settlements – and utilities are unable or unwilling to extend services
- Price is an issue, due in part to overall affordability but also because of equity concerns. There are often wide price differentials between the amounts paid by connected and unconnected consumers
- Tariff and subsidies systems are often complicated and inequitable. Low-income consumers who most need subsidies are outside of the main water system and hence do not benefit from any subsidies on consumption. Middle- to high-income consumers are benefiting from these subsidies because they can afford to connect.
- While quality of water has not come up as a major issue among consumers in most of the countries reviewed (in contrast to other consumer goods, where quality of the commodity is an important issue), quality of service is an issue with consumers complaining of poor service delivery in terms of water cut-offs without prior notice, irregular billing and poor customer complaints mechanisms
- Regulatory frameworks are lacking or ineffective.

Chapter 3: Issues and Challenges in Consumer Engagement

Consumers and consumer organizations have, in the past, tended to be detached from policy debates concerning issues of management and reform in the water sector. The focus has been mainly on issues and topics which relate to consumer access and redress in the sector. The realization that the nature and form of utility reform ultimately impacts on consumer access has encouraged consumer groups to become more actively involved and technically skilled to engage in debates around water and sanitation.

This has raised many opportunities as well as posed challenges for COs. As consumer issues affect a wide spectrum of sectors, time and resources are of critical importance and COs have to be strategic in their approach in order to maximize their limited resources. This *therefore begs the question* “What are the issues that COs should be concerned about and how can consumers and COs effectively engage?”

This chapter highlights issues that influence consumer access to water and sanitation and the quality of service they obtain. It also outlines the obstacles consumer organizations face in representing consumer interests in water and sanitation, and makes a few recommendations on how they can overcome these obstacles in order to effectively engage in a debate on these issues.

3.1 Issues

Of paramount concern to consumer organizations is consumer protection. A key reference point for consumer protection is the eight basic consumer rights:

1. basic needs
2. safety
3. information
4. choice
5. representation
6. redress
7. consumer education
8. healthy environment

Consumers do not only have rights, but also responsibilities. These include the responsibilities to be critically aware, to act, to have social concerns, to be environmentally aware and to show solidarity with consumers in different categories and geographical locations. These responsibilities place on consumers — and their representative consumer organizations — an onus to act to ensure that their rights are respected. They also require that consumers themselves are actively participating to ensure that the sector has the needed support and input to work efficiently.

All of these rights and responsibilities are of relevance in the water and sanitation sector. In order to contribute to the debate on water sector reform and make suggestions for options and strategies that would protect

consumer rights within the context of the provision of water and sanitation services, there are core issues that that a consumer organization must understand. These are often complex issues which take COs well beyond their usual sphere of experience and expertise. They were discussed at length at the drafting workshop, and a summary list is presented below.

Price and Affordability

The price of water supply and sanitation, referred to as the tariff, is based on certain price-setting principles determined by many actors, including the water utility itself, the government, and in some cases an independent regulator. It is important to understand what costs are included in determine the water tariff, and whether cost alone is the sole determinant of price. It is also important to understand the relationship between the price consumers pay and the true cost of running the utility. An important issue may be whether, for instance, the cost of inefficiency is passed through to consumers – that is, consumers are paying for the fact that much water is unaccounted for. The utility may find it difficult to keep prices down if some large consumers, for instance government offices, do not pay their bills. It is also very important to understand the nature and source of any subsidies in the system – are there direct subsidies from government to the utility, are there hidden subsidies, and are there subsidies between classes of consumers? How well, and how transparently, do all these subsidies operate?

Barriers to access

While there is often a great deal of discussion of the price of a product or commodity, in the water and sanitation sector one of the major issues may not be price, but instead access to the commodity in the first place. The reasons that consumers, especially poor consumers, are unable to connect to a water supply or sewerage system may be many and complex. There may be strong disincentives for network expansion and the addition of new customers which constrain governments, public utilities or private operators. These must be analyzed and understood. They may include such things as subsidized tariffs, the nature of a contract with an operator, technological or geographical aspects of unserved areas, legislation, land tenure requirements and a lack of funding for investments in the network. There may be complicated links between price and access (for instance keeping prices low for existing customers meaning that no funds are available to extend the network to new users). These barriers must be fully understood by COs wishing to advocate for the interests of the poor, and may lead COs into challenging situations, where the interests of existing consumers are in conflict with future consumers.

Utility management

There are many forms of utility management, each with certain strengths and weaknesses. Consumer organizations need to understand what model is currently being utilized and what models are being considered for the future, and how consumer rights can be strengthened and protected within each framework. Forms of utility management include both public management and the many types of public-private partnerships. These partnerships may give a range of responsibilities to private suppliers of services, with the government usually playing a key role of asset ownership, investment planning and regulation. Not all private sector participation is the same; it is important to understand the type of partnership agreement fully, and the responsibilities and obligations placed on both the public and private partners (which are quite different, for instance, in a concession contract than in a management contract), as this will have an impact on how consumer issues are handled.

Quality norms and standards

Do norms exist for such things as bacteriological quality of water, how are they enforced, and how are they enshrined in contracts and sector development plans?

Service level standards

Are there standards for such things as a guaranteed number of hours of service or a minimum pressure, how are these standards documented and enforced, and how are they enshrined in contracts and sector development plans?

Billing practices

The accuracy, frequency and fairness of billing have a great impact on consumers. It is important to understand the basis on which bills are prepared, and the methods used.

Redress Mechanisms

Redress mechanisms are an important part of consumer protection. The redress mechanisms in place, and their strengths and weaknesses, have to be fully understood.

Alternative technologies

Many countries have found that alternative, innovative and low-cost technologies can provide important benefits for utilities and customers. In particular, alternative technologies can sometimes allow low-income customers to gain access to services they could not afford previously. In some cases, consumer lobbying may encourage utilities to consider alternatives. However, the appropriateness of these technologies for the local and national context must be examined. It may be necessary to make changes in regulations and standards to accommodate them.

Governance

The legislative and institutional framework for the water supply and sanitation sector may be complicated, but it

is important for COs to understand and analyze them carefully. In particular, the type of representation and participation by civil society interest groups must be examined.

The reform process

In order to participate in the process of reform, it is necessary to examine and understand the nature of the process, the provisions for making it transparent, and the provisions for making information available to civil society groups such as consumer associations. Civil society organizations may have to be prepared to make a case for more transparency, and to request detailed and timely information on the government's plans in the sector.

3.2 Challenges

Consumer organizations face numerous obstacles and constraints in their quest to engage effectively in the sector. One of these is the sheer size of the problem. The gap between the current situation and the ideal, in which there is active, vibrant and representative consumer representation, is huge. The question is thus – how can COs get “to scale” at country level, and begin to bridge the massive gap between what exists now, and what would be a desirable situation in terms of consumer voice? What needs to be done to simply ensure that COs themselves are discussing water and sanitation sector issues in an informed way, and to ensure that consumers themselves are making their perspectives heard?

The project partners discussed these at length in order to come to terms with the challenges, and to determine methods to overcome them. The challenges, and some ideas for solutions, are explained below.

Lack of capacity and resources to engage in the water supply and sanitation sector

COs find it difficult to identify the best starting point to address the challenge of establishing consumer representation in the sector. In general, COs lack expertise in the specific terminology and technicalities of the water and sanitation sector. In most cases, this sector is a new one for them, and the learning curve is steep. In particular, the participants from the four countries in the project felt they lacked knowledge in such specifics as the nature of private sector contracts, the responsibilities they place on operators and the incentives they create. As private sector participation is often an important issue in reform, the need to understand these legal and contractual issues places an additional burden on COs.

Added to this is the fact that responsibility for and management of the water and sanitation sector is often scattered around many different ministries and agencies, making it difficult to identify the focal point, design advocacy, and effectively target the appropriate decision-makers.

It is necessary to identify short term achievable goals to build up credibility and support before embarking on more complex, long term objectives. An additional

challenge is the need for financial resources to obtain expert advice and carry out the capacity building and advocacy planning needed. Consumers International at regional level (CI-ROAF) can help, but only within the structure of the organization (which, as a membership organization, is based on a large degree of autonomy of the country-level associations). Ultimately, COs must respond to local demands, and this means generating local capacity and resources. However, COs must take advantage of any training or capacity building that other agencies make available (including CI itself).

COs identified the **recommended solutions** as:

- training and capacity building in such issues as tariff setting, regulation, institutional and legislative framework of water management, advocacy and communication
- Engagement of consultants and experts to work with COs
- Technical support to COs

Example: The stakeholder meetings in both Kenya and Senegal provided opportunities for training and technical support. For example, the Kenya Water Institute organized training on tariff setting and subsidies at the stakeholder workshop held by CIN. This training enabled participants to understand the dynamics of tariff setting in Kenya, but it also helped to identify weakness in the tariff setting regime — such as the fact that the present subsidy model is not well-targeted. The Senegal workshop organised by ADEETeLS included a one-day capacity building workshop that centred on regulation, tariff setting and communication. Participants learned to understand the theoretical basis of the various models of regulation and tariff setting, and also how to effectively communicate their advocacy strategy to the wider public.

Relationship with government

COs complained of a lack of government openness and will to work with civil society in the water supply and sanitation sector. They felt that the actions of the government tended to be shrouded in secrecy and civil society organizations were viewed as interlopers. COs often suffer from the lack of a formal relationship with government — they need to be officially recognized. There is a need to establish a cooperative relationship with government and to be seen as a partner with similar aims (that is, the well being of consumers/citizens).

COs complained of a lack of information, but also a lack of credibility — the two are clearly connected.

The **recommended solutions** for COs were to:

- Establish the credibility of COs in the sector by presenting government with a unique and well-informed position and alternatives for consideration.
- Ensure that COs are not seen just as critics, but organizations providing constructive alternatives.
- Lobby the government on the need to facilitate dialogue, and the benefits of this dialogue for integration of broader interests in the policy making process.

Example: In Chad, the water sector review conducted by the ADC of Chad enabled the consumer organization to identify the core problems and bottlenecks to consumer access in Chad. This helped the organization to articulate a well-defined position, presented to government, on the need to create a special fund for network expansion, and a proposal that it be financed through the value-added tax on water.

Relationship with media

It is very important that COs are heard when there is a problem and have their opinion sought by the media. However, here too COs sometimes suffer from a lack of credibility and profile. Added to this is the fact that consumer stories do not always “sell” and may not be attractive to the media.

The **recommended solutions** are:

- COs need to develop stories from a human-interest perspective to interest and engage the media
- COs need to respond to the topical issues on water in an informed manner, and engage media attention

Relationship with Consumers

The communication channels with consumers are not always straightforward. COs speak on consumers’ behalf, but lack regular feedback (few COs in African countries could afford to run “hot lines”). COs rely on consumer complaints which may not be representative. There is also a disconnect between CO staff members, who are mainly middle class, and very poor consumers. Poor consumers may feel that consumer organizations — and indeed other civil society organizations — are taking advantage of their poverty to create jobs and income for themselves. This may lead to resentment.

There is also often reluctance on the part of consumers to actively engage. Consumers expect consumer organizations to represent them. The role of COs is to educate consumers to protect themselves. In addition to this, consumers may be interested in their rights, but not necessarily their responsibilities. This means that at times the message delivered by the CO may not be popular (for instance that consumers should pay for services and preserve the financial sustainability of service providers).

The **recommended solutions** to these problems were for COs to:

- Establish viable communication channels with consumers — for example, establish public dialogue in the communities to solicit views and identify key allies in the community, and then work through them to gain support and acceptance. This should not be “one-off” but a continuous process
- Develop the capacity to process complaints in order to develop policy positions and use these to influence policy-makers. CI-ROAF has developed a training manual “How to Conduct Research” which outlines how to turn complaints into policy and also how to do participatory research among

consumers/communities and use this information to define a policy position.

Example: In Malawi, the Consumer Association of Malawi organizes focus group discussions with local communities to discuss issues relating to access to water and sanitation. The community participates in identifying indicators for research, collaborates in the research itself and aids in formulating recommendations. A representative from the community is then selected to speak on behalf of the community to policy-makers.

Relationships with donors

Like many civil society organizations, COs often benefit from donor support. However, there is often a mismatch between donor expectations and objectives and what COs can or want to achieve. Funding for alternative models and actions may not be made available should these models not fall within the institutional objectives of the funding partner. Both of these problems can result in instability and un-sustainability of donor-funded projects.

While donor-funded projects can bring needed structure and professional advice, COs sometimes feel that donors want to micro-manage the project they have funded for them, and that they expect results according to a rigid and inflexible plan. The activities of the consumer movement do not always lend themselves to rigid planning or the delivery of pre-determined outputs.

Engaging with donors can also result in a multiplicity of actors – sometimes with different and even conflicting interests – which can impede the specific strengths of COs which are flexibility and speed in action. Ideally, the relationship with donors should be a two-way learning process. COs should use the donor perspective to bring about professionalization, and learn from it to focus not just on activities but also impact. Donors should recognize that working in such activities as advocacy and capacity building is a slow process that cannot necessarily be boxed into an objective or time frame.

An additional issue is that consumer issues are not seen at first glance as part of the “normal” development agenda. This leads to a need to position COs and Consumers International in the development sector as organizations that have a role to play in combating poverty. It is also necessary to convince others who focus on the poor that consumer issues fit their agenda – a point of view which may be unfamiliar to them.

Recommended solutions include:

- ensuring each partner’s role, mandate, competence and objectives of partnership are discussed and clarified at the outset
- encouraging greater flexibility on the part of donors when dealing with projects with COs
- fostering greater communication and openness to new ideas on the part of both parties

Relationships with other COs and NGOs

COs experience competition for funding, information, power and territory with other COs, and sometimes other NGOs. Relations with other COs are complicated by the fact that consumer interests are not always monolithic, and there can be many points of view and approaches in addressing them. From the point of view of other NGOs in the sector, the consumer agenda is very wide. COs must represent all consumers, not just those who are poor – this is different from the agenda of other development NGOs, who work exclusively for the poor. COs are thus seen as “fringe” organizations both within poverty alleviation debates and in the water and sanitation sector.

The recommended solutions are to:

- Define a clear consumer perspective and tailor COs inputs to the debate accordingly – what can COs contribute which other organizations cannot? What distinct and thought-provoking points of view do they have?
- Consider working with, rather apart from, other established players, and work towards buy-in of the consumer agenda and its integration within the wider development agenda.

Chapter 4: Models and Strategies for Engagement with Consumer Organizations and Consumers

4.1 In the Beginning – Getting Consumer Organizations Involved

The first phase of this project focused on methods to engage COs and to facilitate their entry into the debate about water and sanitation sector reforms in their countries. There are already consumer organizations in 46 countries in Africa which are structured organizations representing consumer concerns across a wide spectrum of issues.

The ways that the COs in the four project countries became involved initially include:

- Carrying out country reviews
- Holding workshops or national stakeholder meetings
- Arranging for their own capacity building.

These are discussed in turn, including the role that consumer associations played, and what we learned in this project with respect to their strengths and weaknesses.

4.1.1 Country Reviews

In all four countries the COs first carried out country reviews. These reviews were designed to examine the

water supply and sanitation sector, place facts and figures in the hands of the COs, and initiate a process of learning. They also gave COs the opportunity to assess the existing information and data, and analyse it from a consumer angle.

In some cases the COs hired consultants to undertake the country reviews, and in others they did the work in-house. In discussion, the participants agreed that some combination of the two is needed, in order to both build capacity and ensure a high-quality product. A challenge in hiring consultants is that expertise is required to guide and evaluate their work (such as writing a Terms of Reference or monitoring progress) and this expertise is difficult to attain.

***Example:** COs need to move away from the anecdotal to a fact-based approach. For instance, prior to its involvement in this project, ADC in Chad had taken a stance against the levying of VAT on water in Chad. They felt that this would negatively impact on access by making water too expensive for poor consumers. However as a result of the country review, ADC found that only 2.8% of the Chadian populace obtained water through the water mains, and that this segment could actually afford to pay the VAT. It therefore changed its position to advocate for a special fund for network expansion, financed by the revenue raised as a result of the VAT on water. The following table summarises the learning from country reviews:*

Lessons from Country Reviews

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Carry out themselves • Commission consultants • Combination 	<ul style="list-style-type: none"> • Carrying out country reviews, or collaborating with consultants, builds capacity • Country reviews can provide a better understanding of the problem and can lead to new perspectives • Provides a look at issues from a unique consumer perspective 	<ul style="list-style-type: none"> • Need basic competence within association in order to be able to either carry out reviews or commission them –this is hard to obtain • Difficult to request consultants to provide information when you don't know what you are looking for • Competent and affordable consultants are hard to find • Expensive, and sometimes hard to get information if you are not in the sector • Field work can be dangerous if the community is not approached cautiously • May be difficult for COs to get access to certain types of information and data (consultants may be able to help) • Doing reviews in-house creates risk that something is missed

4.1.2 Workshops

Workshops were used in three of the four countries as a forum to present the results of the country reviews and develop an action plan to a variety of sector stakeholders – in this context they were referred to as “National Stakeholder Workshops”. They were also used as opportunities to hear the perspectives of the other stakeholders, and to listen to invited resource people on topics identified as capacity building priorities.

Workshops can also be used at the beginning of an initiative to “kick-start” a process and inform key stakeholders of what you intend to do.

The table below summarizes the strengths and

weaknesses of workshops. In summary, they are excellent opportunities to create networks and build awareness, but can also backfire if the CO is not ready to present high-quality material. Bringing in many stakeholders can be difficult for a CO that is new to the water sector, and requires considerable up-front work. There is a danger that other stakeholders may be critical and not receptive to another organization entering the sector. However, if COs indicate an honest willingness to learn, and show they can provide a clearly unique and valuable perspective, the workshops can be very productive. The advantage of workshops is that they provide a public forum for both giving and receiving information..

Lessons from Stakeholder Workshops

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Host • Facilitate 	<ul style="list-style-type: none"> • Enables validation of country reviews • Contributes to improvement of country reviews • Allows a forum to articulate and action plan • Establishes credibility of CO and creates networks • Creates opportunity for capacity building • Creates opportunity to disseminate consumer perspective • Raises awareness (especially if there is press coverage) • May identify hitherto unknown allies in industry or the regulatory body • May reinforce the CO position if discussions go well 	<ul style="list-style-type: none"> • Difficult to find resource people • Time consuming and expensive to arrange • Invitation of other stakeholders requires careful planning and networking in advance • “One shot” – last minute cancellations or unforeseen events may result in failure • Risk of showcasing weaknesses instead of strengths if country reviews or action plan not well-thought-out or presented • Participants may have expectations which COs cannot meet (in terms of professionalism and quality of research) • Others in sector may not be willing to listen to “new entrant” • Difficult to discuss complex issues in large groups

4.1.3 Capacity Building

CI-ROAF, WSP, and all four of the COs themselves recognized that they needed capacity building. (In fact, the expressed need for this was the main reason for WSP's involvement. The WSP also recognized that the project will help to familiarize World Bank staff about the concerns, role, capacity and potential of civil society groups, and enhance their capacity to engage with them. WSP's support for the project came through a BNWP-financed project aimed at increasing the capacity of civil society organizations.)

In Zambia, Senegal and Kenya, some capacity building was provided through the National Stakeholder Workshop. Zambia and Senegal subsequently identified further capacity building needs, which will be undertaken by the CO through national institutions and other NGOs.

In practice, the COs found capacity building hard to arrange. They struggled with the dilemma of "not knowing what they didn't know". As one participant put it: "You need capacity building to define your capacity building needs". As new issues came to the COs' attention, they found it difficult to arrange objective capacity building, as resource people were hard to find in-country.

The list of issues identified as capacity building needs included:

- tariffs and subsidies
- regulation
- models of private sector participation
- utility management

Lessons from Capacity Building

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Recipients • Supplier 	<ul style="list-style-type: none"> • COs can build capacity of other organizations, other partners and stakeholders to see a consumer perspective and understand consumer issues • Cross fertilization between COs is a very powerful tool 	<ul style="list-style-type: none"> • "Don't know what you don't know" – hard for COs to create capacity building agenda before they understand major sector issues • Need resources for resource people, training workshops etc. • Suitable resource people hard to find in-country

4.1.4 Networking

There are many institutions and organizations active in the water sector and sanitation sector. These organizations have accumulated knowledge and information, established key contacts and linkages, and learnt how to engage a range of stakeholders in the sector. These linkages — both institutional and personal — are important for consumer organizations to tap into in order to identify and articulate a well-informed consumer position. In addition, many civil society organizations have found it useful to form broad coalitions around common themes and issues in order to achieve "critical mass" and advocate for change.

Consumer organizations in all countries network with local communities, other civil society organizations and

government agencies active in water and sanitation in order to access information, establish joint positions and advocate on common themes.

Networking need not restrict itself to the national and regional arena only. Water sector reform is taking place globally and is being influenced by such regional and multilateral agreements as the United Nations Millennium Development Goals, the World Trade Organization's General Agreement on Trade in Services, and the New Partnership for Africa's Development (NEPAD). There are common issues around which civil society, including COs, need to share information and undertake regional and global advocacy.

Lessons from Networking

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Initiators • Members 	<ul style="list-style-type: none"> • Information sharing • Cross fertilization between COs other CSOs and government • Strength in numbers around common themes • Improves policy positions and recommendations 	<ul style="list-style-type: none"> • Differing institutional mandates and objectives can clash and limit networking • Limited commitment to coalitions because of individual institutional focus

4.2 The Next Step – Engaging and Representing Consumers Themselves

The next step for the consumer organizations in this project, once they understood the sector, was to engage in country-level activities aimed at educating, representing and engaging consumers themselves.

The activities used in order to achieve this included:

- Advocacy in various forms
- Becoming a service provider
- Representing consumers on regulatory boards and at other sector institutions
- Carrying out consumer education.

4.2.1 Advocacy

All the COs involved did advocacy in one way or another, and this was considered a vital activity. When done in the context of a good relationship with the media and policy-makers, advocacy can allow wide dissemination of issues, and creates opportunities to influence decisions.

Various methods of advocacy were used. A major challenge for COs is to identify clearly what they want to see changed and to maintain a continuous, permanent and well-targeted program of advocacy (including education of stakeholders) aiming at achieving that objective, rather than relying on a string of “one-off” events; that is, moving “from protest from proposal”.

Forms of advocacy used by the COs included:

1. **Lobbying government through petitions, letters, meetings and informal discussions** - in these instance consumers, through COs, define their positions and present these to government for consideration.

Example: In 1993, the Government of Burkina Faso introduced a value-added tax on goods and services. Water, except for a small amount per month, was to be taxed as well. The Government had not imposed the tax on all goods:

among others, ammunition and racehorses were exempt. The Burkina Faso Consumer Organization (LCB) launched a campaign against the tax on water, arguing that water was a more important good than ammunition and racehorses. LCB first met with members of parliament. As a result of these discussions, a petition was sent to parliament. At the same time, LCB sent a letter to the Government, outlining their position and their demands. Volunteers with LCB approached people paying their bills at the offices of the water company and asked for signatures in support of the demand to lift the new tax on water. The signatures were later handed to the Government. Within a month of starting the campaign, which received a great deal of media coverage, the Government changed the threshold above which VAT on water was charged, raising it from 15 cubic meters per month to 50 cubic meters per month. This means in practice that VAT on water would not be levied on most domestic consumption.

2. **Direct consumer action** – this entails mobilizing consumers to demonstrate for a specific issue. An important feature of successful direct consumer action is being able to demonstrate that COs can mobilize people in large numbers. However, events such as demonstrations must be handled very carefully indeed as they can easily go wrong, attract people who are not really interested in the issue, or end in violence. Being aware of these risks, COs often have carefully designed strategies for dealing with these things.

Example: ADC in Chad organized a peaceful consumer march to press government to recognize water and electricity as basic consumer rights, and to begin action on the recommendations put forward by the ADC on water sector reform. More than 3000 consumers participated. As a result, the government integrated some of the recommendations into the national water and sanitation policy.

3. **Using the media** - which can be a very effective tool in getting a message to consumers and sparking

a national debate on an issue. For instance, consumers calling in to radio shows and expressing their views on the air can create pressure on national government to effect needed change.

Example: The Association des Consommateurs du Mali (ASCOMA) conducted a country review and consumer survey on access to water and electricity in Mali. The findings and recommendations were presented to government in June 2003. The government however made no commitment and took no action. ASCOMA therefore organised a press conference to inform the public about their findings and also participated in several radio and TV dialogues in French and the local language to speak about the problems of consumer access in the utility sector. The government took note and reconvened another meeting with ASCOMA and other stakeholders at which ASCOMA recommendations were debated, refined and accepted. A mechanism for regular consultation between ASCOMA, the regulator and the utility company was also established.

4.2.2 Service Provision

In Senegal, ADEETeS was already actively engaged in service provision, where some local cells of the organization run standposts. ADEETeS had embarked upon service delivery because they wanted to demonstrate that it was possible to sell water at prices that were less than those charged at many of the stand posts in the city, and to provide competition. This decision was taken mainly as the prescribed tariffs for water sold at the existing privately-run taps were not being adhered to, and the agency tasked with regulating prices did not respond to the campaigns and advocacy efforts undertaken by ADEETeS.

In Chad, ADC has been working with local community-based organizations to install a borehole which now serves 2000 households in two districts. The borehole has now been handed over to the local community group to run.

Lessons from Advocacy

Role of Consumer Association	Strengths	Weaknesses
<ul style="list-style-type: none"> • Initiate • Manage • Participate in others' campaigns 	<ul style="list-style-type: none"> • Can result in wide dissemination of issues • Can result in influencing key decisions • Can draw upon and use the professionalism of members 	<ul style="list-style-type: none"> • Can be difficult to do if communication skills are lacking • Requires resources to pay for travel, media space/air time, volunteer expenses • Can be difficult to coordinate the relationship between other NGOs and even other COs (who may work at cross-purposes) • Difficult to do while still learning about sector issues • Requires strong relationship with media • Mass advocacy can be difficult if there is a lack of consumer education • Can be difficult to design a message - people may be willing to rally around their rights as consumers, but less willing to accept their responsibilities

In Kenya, CIN has been a catalyst, facilitating the construction of a water and sanitation point by providing training and material to the community, who have then constructed the point and manage it.

There is great debate over the wisdom of COs becoming service providers. Some see it as a logical step in winning the confidence of consumers and demonstrating a hands-on approach to the sector. Others fear that it is a “slippery slope” and creates too many problems in terms of mixing up the role of COs with that of the utility providers they wish to lobby, and creating risks such as internal conflict and misuse of revenue.

There is general consensus that, even when it is undertaken, this is not a long-term role for COs. The role of the CO in service provision should be mainly as a demonstrator and facilitator. COs might want to act as a catalyst in setting up services, which are then handed over to community management, perhaps with CO supervision. However, even this represents a risk in terms of the potential “slippage” of responsibilities, leaving COs with obligations they don’t want, rather than being able to disappear from the management arrangement.

4.2.3 Consumer Education

Consumer education is closely related to advocacy. As noted with advocacy, COs felt there was a need to have continuous programs of consumer education, with good targeting.

A major point of debate is to what extent consumer education is the role of government. COs feel that at least some consumer education should be the responsibility of government, either directly, or through COs which it supports. One of the problems is that government often “divorces” itself, resigning responsibility for consumer education and leaving this to COs (which are under-resourced, and have to turn to donors for funding).

In order to communicate effectively with consumers, COs need to identify and target consumer groups based on the issues they face in accessing water supply and sanitation services. COs need to use the best means of reaching the different target groups, which could vary – for instance newspaper inserts, TV and radio spaces, press conferences, education through entertainment such as plays, dramas and song, or community based focus group discussions may be appropriate depending upon the group.

Lessons from Service Provision

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Become a service provider • Manage a demonstration project in service provision 	<ul style="list-style-type: none"> • Raises visibility • Provides people interested in the consumer movement with concrete evidence of commitment to their needs • Can increase membership and mobilize consumers • Creates new and interesting relationship with main service provider • Can demonstrate alternative service delivery is possible • Can drive prices down • Can educate COs in the realities of service delivery 	<ul style="list-style-type: none"> • Can jeopardize image and credibility • Can distract from main objective of COs • May create temptation to pursue profit-making (also risk of ignoring planned price in the future and raising prices in order to generate more revenues) • Creates conflict of interest (can a CO carry out effective advocacy on prices if they themselves are selling water?)

Example: In the Seychelles, the National Consumer Forum (NATCOF) has developed a credible and visible relationship with the local media. The organization has a regular column in the weekly paper, and ensures that on such days as World Water Day the organization feeds the media with stories and articles on consumers and water. As the theme for World Consumer Rights Day 2004 was “Water is a Consumer Right”, NATCOF organized consumer education on the need for sustainable use of water and water conservation in collaboration with the local radio station and the water utility company. Experts from both the ministry responsible for water and the water utility were invited to an on-air discussion and consumers were invited to call in and raise issues. At the end of the program a quiz was held and prizes awarded.

Example: In Tunisia, the consumer organization has developed a tripartite relationship between itself, the ministry in charge of water, and the water utility company. This alliance has developed a consumer education program and methodology to educate consumers on such issues as water wastage - which is of primary importance in Tunisia as it is a desert country.

4.2.4 Representing Consumers

Consumers are often called upon to represent consumers on regulatory boards and other bodies. Two of the consumers associations which took part in the project have representatives who sit on such boards. ZACA has just been invited to be a member of the National Water Supply and Sanitation Council (NWASCO), and ADEETeIS has both a seat on the board of the state asset-holding company in Senegal (SONES) and has just been appointed a member of the management committee for the next phase of water sector reform.

A challenge for COs is to correctly represent consumer perspectives and opinions on issues which arise at such bodies. There are various means by which consumer organization can solicit consumer views on issues of concern:

1. **Consumer / market survey** – this entails developing a survey instrument and using this instrument as a basis for conducting interviews in the field with a selected sample population. For example in Mali, the consumer organization ASCOMA, in

Lessons from Consumer Education

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Educate members and consumers at large about sector issues, consumer rights and responsibilities 	<ul style="list-style-type: none"> • Raises visibility • Ensures that consumers know rights and understand issues • Allows consumers to make informed choices • Results in changed behaviour which benefits society as a whole (i.e. water wastage, prompt bill payment) • Can increase membership and credibility of CO (adds value) • Supports advocacy activities 	<ul style="list-style-type: none"> • Requires specific expertise in community education • Risk of getting it wrong – must be sure of issue, understand culture and target message well • Risk of delivering the wrong message if the sector is not well understood • May be difficult, and even risky, for educators to work in some areas

collaboration with a research consultant designed a research questionnaire to identify impacts and issues of concern to consumers as a result of the water and electricity reform process in Mali. A target population in the capital representing a range of incomes was identified and interviewed. The results were collated and integrated into a sector review document prepared by ASCOMA and formed the basis of ASCOMA representation on behalf of consumers in Mali

2. **Focus group discussions** – this form of information gathering is best done on a community basis. It is a two-way learning process for both community and researcher. It however requires knowledge of the methodology. This is the methodology employed by the Consumer Association of Malawi, which goes into local communities, mainly rural, and organises meeting of women, youth and men to discuss the problem of access to water in their communities. The communities can then engage actively on how they perceive the problem and make suggestions on how to improve the situation in their communities. One drawback of this approach is that findings are peculiar to a specific community and may not be comparable across communities.
3. **Complaints handling** – this is a core function of

COs. Members of the public can bring complaints to COs who either refer them to the appropriate agency, or try and represent the consumer to get the problem solved. Knowledge of these complaints helps COs to understand the issues and concerns faced by consumers.

Internally within CI the question has been raised as to the appropriateness of COs taking positions within regulatory structures. For COs in Latin America for example, it was deemed best for COs to operate outside of the official structures as they feared that consumer ability to criticize the regulatory structures could be compromised. In addition to this there was the problem of secrecy as COs would be bound by confidentiality as members of the regulatory board and this would restrict their ability to bring certain issues to the public domain. In this context some countries in Latin America such as Colombia, have established consultative or advisory bodies to advise the regulator. These bodies are composed of representatives of consumer, utilities and industry experts. In Argentina a special tripartite commission was established, involving providers, consumers and regulators, to deal with consumer concerns. However many African members felt that working from within the regulatory board was the best solution within the African context as it gave COs greater opportunity to instigate changes.

Lessons from Representing Consumers

Role of Consumer Organization	Strengths	Weaknesses
<ul style="list-style-type: none"> • Represent consumers through a seat on the Board • Consultative and participatory status • Certify the appointment of regulator 	<ul style="list-style-type: none"> • Opportunity to influence sector from within • Allows decisions of Board to be reviewed by those with a consumer perspective (if consumers stay away, decisions will be made anyway) • Opportunity to lobby • Creates relationship with and access to decision makers (and access to information) • COs have greater leeway to act if regulations or policies are against consumer interest • Input into decision-making processes through formal or informal hearings • Ward against regulatory capture by companies and or political interest. Appointees know that consumers will verify their continuance based on the actions they took to ensure consumer protection 	<ul style="list-style-type: none"> • Can be a “façade” • If technical issues not understood, capacity for meaningful representation lost – need training • Risk that COs will be “captured” and become part of a dysfunctional system • Can jeopardize autonomy and independence • Lack of access to information can inhibit participation

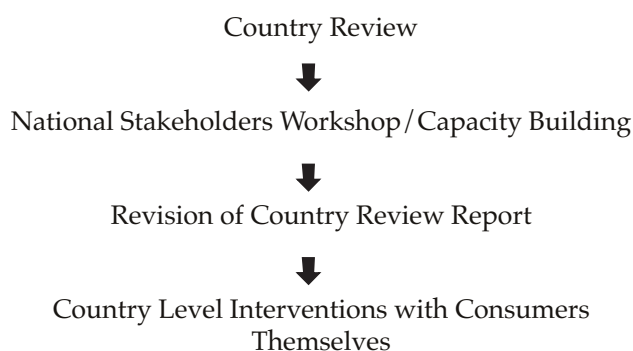
4.3 Project Learning – Models for Replication

4.3.1 Models to Engage Consumer Organizations

Project Model

The sequence of the elements used by this project started with country reviews commissioned by each CO (or carried out by CO members themselves). The objective was to evaluate the situation, strengthen the credibility of the CO, and make it more professional. In each country, the reviews were followed by a workshop to which as many sector stakeholders as possible were invited. This workshop was designed to mobilize opinion and bridge the gap between the stakeholders. The workshop was also intended to provide new insights, which would further strengthen the review (and revision of the country review was a next step). The workshop was also designed to be a forum at which the interventions of the CO would be designed and an action plan developed.

The sequence of elements was thus:



While the initial country review was an opportunity to learn more about the sector, the participants in the project found that more capacity was needed to enable them to properly design the research.

Latin America Model

In Latin America, a similar project was carried out from 1997 to 1999. This project was much larger in scope (for instance, it encompassed not only water, but also electricity and telecommunications), and it was implemented by Consumers International Office for Latin America and the Caribbean in collaboration with COs in five countries (Mexico, Colombia, Brazil, Peru and Chile). Funding was provided by DFID.

The sequence of elements started out with an inception workshop designed to let stakeholders know what the COs planned to do. CI-ROLAC staff working on the project, international experts, experts from each country, and a regional team of consultants engaged by Consumers International participated in the workshop. The purpose of this workshop was to brief the national researchers on the state of the international debate in the different sectors and agree on a methodology.

The inception workshop was followed by research into

system quality, access, tariffs and institutional barriers to consumer participation. The research was implemented by the team of consultants, with the consultant in each country “twinned” with a CO member from that country, where an active consumer organization could be found.

After the research was complete, a national workshop was held in each country (with the exception of Mexico - the Mexican workshop was piggybacked to the regional workshop) to deliver the findings. A regional workshop, held in Santiago, Chile, followed this at which a regional analysis was presented. The regional workshop attracted participants from academia, the World Bank, a citizens group from the US and the governments and regulatory agencies of the respective countries. Participants also included ex-regulators and international experts. The regional workshop resulted in 50 proposals for actions by regulators, consumers and private enterprises. In some countries, further capacity building and research were initiated.

This model had both strengths and weaknesses. It allowed for initial capacity-building of the COs through the inception workshop, and the twinning of professional consultants with CO members also built capacity. The iterative process meant that COs were well-prepared to discuss issues in a substantive way by the time of the regional workshop. However, it was expensive and some critics have said it had a tendency to be academic. The relationship between the consultants and the COs was difficult as the consultants (who were academics or independent researchers) did not necessarily understand the objectives of the COs or share their vision.

The sequence of elements was thus:



Proposed Hybrid Model

After examining the strengths and weaknesses of the model used in the project and that used in Latin America, the participants of the project proposed another possible sequence of elements for initial engagement of consumer organizations.

In this model, the process would start with a “research formulation workshop” at which advice would be sought on the issues to be examined in the country review. This workshop could be regional, or at country level, though

there would be many advantages to having it at regional level. This workshop would also be used as a forum for capacity building on technical issues and general water and sanitation sector reform plans.

The country review would then be carried out, and presented at a national stakeholders workshop. This would be followed by practical capacity building on such issues as communications and advocacy, and also on other issues which the research had highlighted. The final step would be the activities designed to engage consumers themselves.

The proposed hybrid model is thus:

Research Formulation Workshop/Capacity Building



Research/Field visits by staff



National Stakeholders Workshop



Practical Capacity Building



In-country Activities to Engage Consumers

4.3.2 Models for Engaging Consumers

Consumers are a wide and divergent group and as such the issues that affect them and the method of reaching them differs. As was amply documented during this project, consumer organizations need to carefully identify the issues they wish to take action on, the objectives they wish to achieve, their target consumer groups, and the best means of reaching those groups. COs need to create a sequence of systematic, complementary activities – avoiding impulsive and unplanned actions – which are designed as a result of

thorough research and understanding of the issues. To be most effective and credible, this must include research among consumers themselves. COs need to have clear objectives when engaging with consumers, and the ability to be both flexible yet “stay on course” when carrying out a program of activities.

There is a wide variety of channels available to COs when engaging with consumers, including the media, schools, meetings, and direct action. An effective program of engagement may require several channels at once in order to both ensure the message is heard, and to lend credence to it. The channels must be carefully chosen, and the messages developed with care.

As the examples in this report have illustrated, COs in Africa are already engaging with consumers on water and sanitation issues through:

- Participatory research
- Focus group discussions
- Meetings
- Phone-in, on-air radio shows
- Eliciting signatures for petitions
- Consumer education in schools
- Marches and demonstrations
- Participation in service provision

Globally, there are many other examples of engagement with consumers, for instance the very effective “Report Cards” used in India to allow consumers to regularly express their opinions on service levels and customer relations for utilities such as water and electricity.

There is much rich experience to be shared. Expanding consumer engagement in the water supply and sanitation sector will require that these innovative approaches, from both within Africa and beyond, are further developed, adapted and replicated.

Chapter 5: Conclusions

Consumers are important stakeholders in the water and sanitation sector (many would argue the most important) and there is an urgent requirement for their voice to be heard during the process of sector reform. This requirement goes beyond consultation — an effective and permanent mechanism is needed for consumers to participate actively. The consumer movement has a long and impressive history in bringing the interests of consumers to the forefront, but at the same time has much to learn about the development and management of “public good” services such as water and sanitation.

Consumers themselves are by no means a monolithic group; there are differing categories of consumers with differing needs and capacities. At times their objectives may not necessarily coincide, but all consumers need access to information and the technical support and capacity building to understand issues in the water and sanitation sector. As consumer representatives, Consumer Organizations must be vigilant and critical, and continue to call on governments to make the water sector function properly in terms of price, quality, access, equity and sustainability, whilst ensuring transparency and good governance.

As this report has outlined, COs in Africa face many challenges in establishing themselves as significant players in the water and sanitation sector, but they also have the potential to bring a unique and important perspective. The consumer movement has demonstrated its commitment to poverty alleviation, and there are consumer organizations in many, if not most, African countries, many supported at regional and international level by Consumers International. These organizations are ready to take up the challenge of representing the

interests of consumers with enthusiasm, dedication and tenacity. In order to do this they must build their own capacity and credibility. With the will and trust of governments, the support of donors and the encouragement of the development community they are well-placed to do this.

This report has outlined the methodology and strategies used by four pioneering consumer organizations in Africa to build understanding of the issues and raise profile. The selected approaches varied, but all combined research and learning with action; an important mix for active organizations seeking to respond to rapidly unfolding current events, build on existing programming, and remain accountable and relevant to a membership base. Drawing from this range of experience, this report documents lessons learned from different types of engagement in the water and sanitation sector. These case studies presented here by no means represent the full spectrum of possible approaches, but the lessons learned represent a good starting point for consumer organizations seeking to establish themselves in the water and sanitation sector.

The scale of the challenge posed in establishing effective representation of water and sanitation consumers in urban Africa is daunting – but it is a vital and much-neglected dimension to water and sanitation sector reform. More resources are required, more tools need to be developed, and more work is needed to support consumer organizations in Africa and to enable them to move “from protest to proposal”, and become permanently established as important, vital and effective stakeholders in the sector.

Annex 1 – Detailed Description of In-country Activities

Chad

In Chad the Association de Defense des Consommateurs of Chad (ADC) had previously been involved in the water sector through the provision of a water point which serves 2000 households in two peri-urban districts of N'djamena, namely Am-toukoun and Sabangali districts. It had also actively lobbied government to eliminate the value added tax (VAT) on water, as ADC considered the VAT to be a contributing factor to low access to water in Chad. With the onset of this project ADC undertook familiarization of the water sector in Chad. This aided the organization to identify the core problems and bottlenecks to consumer access to water in Chad and also help the ADC better understand the water sector in Chad. This, for instance, changed ADC's position on the VAT tax on water. Since access to water was mainly being enjoyed by the better-off Chadians, the removal of VAT on water would actually not benefit the poor (who had no or limited access), but the better-off who were the only consumers receiving a service. The ADC therefore amended its position on the VAT accordingly.

The country review results were then discussed at a national training workshop, which brought together 40 participants from the public sector (water and sanitation ministries), NGOs, the Water Company, the European Union delegation in Chad and consumers/resident groups from Am-toukoun and Sabangali districts; who were ADC local partners in this project. The results of this workshop were as follows:

- Improvement of the country review report from inputs, comments and criticism at the meeting
- Adoption of the revised country review document
- Formulation and adoption of short term plan of action for consumers in the water sector
- Enhanced visibility of ADC and consumers as key players in water sector reform in Chad
- Recommendations from the country review and stakeholder meetings incorporated into national water and sanitation strategy document.

ADC organized a peaceful march from August 19th to 20th 2003 demanding water and electricity as basic consumer rights. More than 3000 consumers participated. ADC also had working sessions with the 1st Vice President of the national legislative assembly to present the concerns of consumers. ADC has also presented to the government a memorandum from consumers on the key issues and concerns for consumers relative to water and sanitation access in Chad with recommendations on the way forward. ADC is now focusing its activities on educating consumers on their rights within the water sector. This will be done through information and training documentation, newsletters and weekly radio programmes on a local FM station. ADC also intends to conduct periodic water quality checks.

In terms of advocacy, the ADC is now advocating for the following:

- All revenues from the value added tax on water should be allocated to a special fund for network extension.
- A decrease in the price of water sold by private vendors through a municipal regulation
- Periodic water quality testing by the municipality
- Revision of the contract between the State and Vivendi, the private water utility operator, to ensure investment and extension in the sector. The present contract does not include any performance efficiency indicators to ensure that more consumers are connected to the network.

ADC is also in the process of working with community organizations in several districts to construct boreholes. These water points will be operated and managed by the local communities. Each community will receive training on how to operate and maintain the water points and also consumer education on water conservation and sanitation.

ADC also wants to put in place a system to collect solid waste from peri-urban areas so as to improve sanitation and prevent waste from contaminating the groundwater from which the water points will draw water.

Kenya

The Consumer Information Network (CIN) prepared a case study of the Korogocho slum, one of the largest informal settlements in Nairobi. During preparation of the case study, CIN collected and analyzed information in order to develop a good understanding of the legislative and regulatory framework relating to water services provision to the urban poor. The case study revealed many issues that were of great concern in order to enhance access to water services by vulnerable consumers, paramount being inadequate policy and the lack of a regulatory framework for water pricing in informal settlements. For a variety of reasons, one of which is that vendors do not observe the pricing guidelines, poor consumers in the slums pay more than ten times more for water than consumers with piped connections.

After the research was complete, CIN organized a three-day workshop in Nairobi in February 2003 to present its findings and initiate a national network on water and sanitation. Outputs of the workshop were as follows:

- Improvement of the research report from inputs, comments and criticism at meeting
- Creation of a network active in civil society organizations active in water
- Formulation and adoption of short term plan of

action for consumers in the water sector

- Enhanced visibility of CIN and consumers as key players in water sector reform in Zambia. CIN is now regularly consulted by the Ministry of Water and on issues relating to the urban water sector reform process in Kenya. The same applies to local press now calling on CIN to contribute their perspectives to debates on policy and topical issues on water.

CIN wrote a petition to the Kenyan government outlining its concerns about the water reform process. The Ministry responded, and has since appointed CIN a member of a government-civil society consultative committee charged with proposing a pro-poor strategy for the Integrated Water Management Policy.

CIN is also working with a community resident association in Korogocho to develop a plan to enable the residents to apply for and run their own water points. In this regard CIN will be conducting meetings with community leaders, and carrying out consumer education and training.

Senegal

In Senegal, the Association de Defense des Usagers de L'Eau, de l'Electricite, des Telecommunications et des Services of Senegal (ADEETeS) had previously been involved in the implementation of a project which provided 52 water points and 600 home wastewater systems (puisards) to consumers and households in five peri-urban districts of Dakar. This project arose as a means to demonstrate to policy-makers in Senegal that water could be provided cheaply to peri-urban consumers and managed by local resident associations. ADEETeS now has a seat on the board of the State Asset Holding company, which owns and controls the water supply assets (SONES: Societe Nationale des Eaux du Senegal or National Society of Water of Senegal). SONES has also extended its network to areas of the ADEETeS project which has made it easier and cheaper for consumers to get connections to their compounds either individually or collectively. This has also improved water access for local residents.

Within the framework of the present project, ADEETeS conducted a country review examining the institutional and legislative framework of water sector reform in Senegal and the obstacles this present to consumer access and representation. The findings of this country review were presented at a national stakeholder meeting held in November 2003.

The stakeholder meeting brought together the principal actors in water in sanitation in Senegal. Representatives of the Ministry in charge of water and the Ministry in charge of environment and sanitation, SDE (Senegalaise Des Eaux or Senegalese of Water), SONES, ONAS (Office National d'Assainissement du Senegal or National Agency of Sanitation of Senegal), PSE (Projet Sectoriel Eau or Sectorial Water Project), WSP, World Bank,

academics, the ombudsman, press and civil society organizations such as ADC (Association de Defense des Droits des Consommateurs or Association for Defense of the Rights of Consumers) of Chad, ENDA, CONGAD (Confederation of the NGO of Development in Senegal), CARITAS and local consumer associations.

The meeting analyzed the water and sanitation reform process in Senegal and discussed the role of civil society organizations in the reform process. The meeting was preceded by a capacity building session. Training centered on regulation tariff setting and communication. This training session made it possible for participants to understand the theoretical basis of the different models of regulation and tariff setting and also how to communicate their advocacy strategy more effectively to the wider public.

The stakeholder meeting highlighted the following:

- The "first generation" of water and sanitation reforms were done without consultation
- Regulatory framework does not unbundled the roles of policy making, ownership and part of operation
- Inaccurate targeting of subsidies
- Sanitation given a low priority
- Poor extension of sanitation network and water connections.
- Technology standards enshrined in legislation makes expansion un-necessarily expensive (the diameter of mains required could be reduced, thus reducing costs)

ADEETeS developed a plan of action with included the following elements:

- More focused research on targeted subsidies (the tranche sociale of the tariff structure) and advocacy based on findings
- Enhanced involvement of consumer organizations from the onset of the second generation of reforms
- Engagement with government in discussion on the type of institution and mechanism for regulation
- Advocacy for the creation of a mechanism for regulation of water prices at private taps
- Discussion of options for representation at local and central levels
- Advocacy for change of legislation on technology to ensure greater access to water and sanitation
- Advocacy for the establishment of transparent mechanisms for water quality testing and standards and the establishment of a national standard
- Consumer education and information.

ADEETeS will conduct these actions in the second phase of this project. It has also held numerous meetings with policy-makers and company managers to present and articulate consumer views on the process and the impact it is having on consumers.

Zambia

In Zambia the Zambia Consumer Association (ZACA) conducted a country review focused on the Copperbelt Province of Zambia. The country review collected

information which helped the Association get a deeper understanding of the water and sanitation situation in Zambia, identify roles that can be played by consumer organizations, and make recommendations for actions that would bring improvements for poor and vulnerable in the sector.

ZACA conducted a national stakeholder workshop and training meeting in August 2003 at which major stakeholders in the provision of water and sanitation services were invited.

The aims of the workshops were:

- To present the result of the draft country review by ZACA
- To identify key advocacy issues and develop strategies for consumer advocacy and an action plan for ZACA; and
- To build ZACA's capacity to understand issues of regulation, tariffs, subsidies, private sector participation and other reform issues.

The results of this workshop were as follows:

- Improvement of the country review report through inputs, comments and criticism from participants at the meeting
- Formulation and adoption of a short term plan of action for consumers in the water sector; and
- Enhanced visibility of ZACA and consumers as key players in water sector reform in Zambia. Since this meeting ZACA has been nominated as the consumer representative to the board of the water regulatory agency in Zambia.

The workshop was attended by representatives from government, commercial water utilities, the regulator, and non-governmental organizations involved in the water and sanitation sector. The workshop also drew resource persons from, commercial water utilities, the water and sanitation regulator, and WSP. Representatives from Consumers International, Africa Office (CI - ROAF) and Consumer Information Network (CIN) of Kenya were also present.

Based on country review findings and the contributions from the workshop, ZACA identified the problems of poor access (people not connected to the network), weak redress mechanisms and inefficiencies by the utilities, as key areas for intervention. ZACA intends to do this through various strategies, including:

- Advocacy and lobbying on several key issues
 - Need for government to fulfil its commitment to capitalize the water utilities by making grants and funds available. This would enable water utilities to rehabilitate and extend the network
 - Payment of Government arrears, seen in this context as a consumer equity issue as Government is the single largest debtor to the water utilities.
 - Convincing consumers to be diligent in payment would require that government lead by example.
- Consumer education on
 - The need for consumers to pay bills in order to ensure the sustainability of the water supply system
 - The need to conserve water
 - Rights and obligations of consumers within the Zambian water sector
- Training of ZACA members' in the different forms of regulation and subsidies models the advantages and disadvantages of each, as well as training on how tariffs rates are determined
- Further study on the development of alternative tariff and subsidy structures in Zambia. The country review revealed that subsidies are poorly targeted resulting in benefits accruing to the better off rather than the poor consumers. There is a need to suggest alternative options for consideration under the Zambian context.

During the stakeholder meeting the National Water Supply and Sanitation Commission informed ZACA they were to be appointed as the consumer representative on the regulatory body.

On March 15, 2004, to mark World Consumer Rights Day, ZACA organised a live TV debate with representatives of the water regulatory commission and the association of water utilities in Zambia and ZACA to discuss the problems of access to water and sanitation and to discuss possible means of expanding coverage.

Note: the country review documents, which serve as background documents to the National Stakeholder meetings, are available on request from the consumer organizations or from CI-ROAF.



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