

Application Form submitted by the initiatives to participate in the Transformative Cities People`s Choice Award

GENERAL INFORMATION	
Location:	Jakarta, Indonesia
Title of the Transformative Initiative:	Refusing to Give Up: Civil Society’s Movement against Water Privatization in Jakarta
Name of organization:	Amrta Institute for Water Literacy
Type of organization:	Amrta Institute is a nonprofit, research-based advocacy group working on water resources issues. Its area includes water governance, clean water supply, and water resources management.
Website:	http://amrta-institute.org
Category and Edition:	WATER. Transformative Cities Award 2 nd edition (2019).
STORYTELLING	
Summary	
<p>The main goal of the initiative is to end water privatization in Jakarta and prepare for the transition to good public water services. This initiative used a wide range of approaches, from extensive research, public discussion, demonstration with residents and civil society organizations, to collaborating with labor unions.</p>	
Context and problem definition	
<p>Water services in Jakarta started to be privatized in 1998, resulting in not only poor performance, but also many problems. Practically half of the population does not have access to piped water. There is an acute problem of water outage (up to 40,000 complaints a year), skyrocketing tariffs (three times more expensive than other Indonesian big cities), high water leakage (higher than the national average), and massive financial losses to the public</p>	

budget (estimated to be Rp18.2 trillion by the end of the contract). Families in poor areas have to buy water in jerry cans, whether they are customers (because of the water outages) or non-costumers (because of the expensive subscription costs).

Jakarta has approximately 10.1 million population (2015), with 2.43 million commuters. These are the population that needs to be served by water services in Jakarta.

The problems mainly affect poor communities in the slums in the northern part of Jakarta. As the water services become more profit-oriented, private operators allegedly prioritize wealthier areas to get more income. In particular, women are affected more severely as they are traditionally responsible for water-related household tasks. They often have to carry jerry cans from vendors, or carry laundry to public bathrooms.

Design and Initiation

The initiative was designed evolutionarily in more than a decade of its run, rather than in a single plan, due to its unpredictable and constantly changing challenges. Like other privatization projects, water privatization in Jakarta is a combination of global force, corporates' relentless effort to secure their business, and the government's rigid ideology of privatization. Civil society organizations had to adapt and implement different approaches in different situations that include road rallies to legal actions.

Most of the initiative's activities that are related to research studies and their dissemination in public discussions and seminars, media campaign, and the audience with policymakers were designed by Amrta Institute. Other activities such as protests, labor union consolidations, and legal actions were designed in collaboration with other CSOs and labor unions.

Financial resources are mobilized independently, in a sense that they were not raised from involved parties such as the government, water companies, or political parties. Most of Amrta Institute's funding sources come from international donors, namely Transnational Institute, Public Services International, Isvara Foundation, and Open Society Foundation.

In terms of the distribution, financial support from Amrta Institute is mostly allocated for research studies, public discussions and seminars, and media campaign. Other activities such as rallies and legal actions were shared with other CSOs, namely LBH Jakarta (Jakarta Legal Aid) and Women's Solidarity for Human Rights.

The core human resources in Amrta Institute are responsible for research and advocacy. However, as the initiative various strategies in multidisciplinary approaches, Amrta Institute works together with experts, academics, and activists from different backgrounds, such as women, youth, human rights, anti-corruption, and legal aid.

Key actors involved in the initiative, beside Amrta Institute, are (1) LBH Jakarta (Jakarta Legal Aid), who provided legal assistance to residents of Jakarta through the citizen lawsuit against water privatization, a later proven to be game changer in the struggle to end water privatization; (2) Jakarta water labor unions, who are responsible for major rallies to push for the end of water privatization; (3) Women's Solidarity for Human Rights, who organized women to play major roles in the initiative; (4) Indonesia Corruption Watch, who worked together with Amrta Institute to disclose and report corruption cases in water services management to the Corruption Eradication Commission in 2012; (5) Tempo Magazines, whose reporters work closely with Amrta Institute to continuously report on the issues of water privatization in Jakarta.

Implementation

The main obstacle of the initiative is the apparently strong forces that support water privatization in Jakarta. The central government of Indonesia is very supportive of water privatization in Jakarta, seeing privatization as a solution for improving access to clean water despite all the evidence that demonstrates otherwise. In addition, corporations with practically unlimited resources can easily gain political support. The initiative counteracts this situation primarily by organizing international support. We show policymakers, and the judges in the courtrooms, that the movement against water privatization is an increasing global trend.

The situation, however, leads to the next major problem of the initiative's implementation. The fight against water privatization most of the time feels arduous and exhausting. People involved in the initiative often wonder whether water privatization could actually end. To deal with this problem, Amrta Institute maintained activities to be carried out even during the most daunting times, usually with small but consistent moves, for instance with writing op-ed article on newspapers, updating research studies, and publishing leaflets.

The early stage of this initiative saw a lack of public awareness. Even though residents would quickly say that their water services are substandard, most of them are not aware that they are the result of privatization, and that the solution is to return water services to public management. To address this problem, Amrta Institute deliberately designed the initiative to be heavy on public campaign, such as through media campaign (collaboration with

reporters, appearance on TV talk shows, etc), regular popular publication about the issue, direct interaction with residents (for example during car-free day in main roads in Jakarta), and public discussions. A public discussion became a break-through in this initiative was organized in 2011, when Amrta Institute could convince the director of state-owned water company PAM Jaya to reveal to the public the harmful impacts of water privatization.

As the initiative is ongoing, the problem that remains to be solved is how to actually end water privatization in Jakarta and prepare the public water utility PAM Jaya for the transition.

The initiative intensively organized public meetings to consolidate civil society organization, residents, and labor union. Particularly the latter, inputs were given on how to consolidate workers amid confusion between fighting for workers' rights and against water privatization.

The tools for the advocacy works are research studies, which became strong bases for pressuring the policymakers, public campaign, and the citizen lawsuit. Hence, the methods always begin with extensive and strong research studies, and then from there, the initiative decides the best approach for realizing changes. The benchmark for the initiative is the remunicipalisation of previously privatized water services from world cities. Ideally, water services should be managed publicly, and to improve the capacity of public water utilities, cooperation should be held between public institutions.

Results achieved and Evaluation

As previously mentioned, the most important achievement of this initiative is its ability to gain support from key actors, such as the governor, director of PAM Jaya, and member of the local house of representatives. It must be admitted, however, that these supports have not been able to actually end water privatization in Jakarta. The reason for this is because the central government still supports the privatization, and because of other external forces. For instance, in 2011, Jakarta water privatization is part of the agenda during the French Prime Minister visit in Indonesia as the resistance against water privatization grew (PT Palyja's parent company was Suez, a French-based company). This demonstrates the strong powers that backed water privatization.

The win in the citizen lawsuit is also an important achievement of this initiative. The citizen lawsuit was filed in November 2012. In addition to research studies and strategies, Amrta Institute also contributed to the lawsuit for example by inviting Public Services International's Jasper Goss as amicus curiae to the court. In March 2015, the Central Jakarta District Court ruled in favor of the citizens of Jakarta by annulling the privatization contract agreement. The defendants, including the central government and private water operators, challenged the

ruling. The Supreme Court, however, in June 2017, also ruled in favor of citizens, instructing the government to take over water services from the private sector.

The initiative was also successful in building a coalition with other organizations. CSOs from various backgrounds work together for the common goal. In fact, thanked to the strong coalition, the initiative was able to find a corruption case in the management of water services involving private water operators. Amrta Institute, Indonesia Corruption Watch, and water labor union SP-PDAM worked together to collect evidence, finalized, and provided support until January 2012 when the formal report was submitted to the Corruption Eradication Commission (KPK).

Another important achievement took place on 1 April 2013, when the documents of contract agreements, the most important documents for the advocacy works, were finally disclosed to the public. The initiative had worked hard to obtain these documents, which were ironically classified while they affect millions of citizens of Jakarta, for years. The formal request to the National Commission of Information was part of the efforts for more accountable water management.

The impacts above were measured quantitatively; support from the governor was a public statement recorded by numerous mass media, as well as support from PAM Jaya. In addition, their following policies reflect the support. Support from members of Jakarta house of representatives can be seen from their attending events organized by initiatives, as well as by approving a budget for taking over water services from private water operators.

Furthermore, this cause has gained support from Jakarta governor. In February 2019, Jakarta governor Anies Baswedan announced that the provincial government is taking over water management from private operators entirely. The decision was announced despite Supreme Court ruling that basically supported the legality of water privatization in Jakarta.

Previously, the Governor had also listened to the public's pressure for reform in water management by forming a special team named The Water Management Evaluation Team. This team consists of civil servants, professionals, and experts, which include Amrta Institute Director Nila Ardhianie. The team recommended the Governor to end water privatization using civil settlement avenue.

Residents of Jakarta should benefit from this initiative. If water privatization ends, public water utility will be able to revitalize water services into public-oriented, non-discriminatory, affordable, and reliable water services.

Political Strategies

Political strategies used different approaches depending on the political atmosphere in the city hall. Intensive communication with the provincial government of Jakarta as allies against water privatization happened when Joko Widodo (currently the president of Indonesia) served as the governor in 2013. It escalated quickly, that the governor of Jakarta stated publicly that water privatization should end. Unfortunately, before it materialized, the political situation changed again, and the initiative had to use a different approach.

One particularly effective strategy to be employed is when in November 2012, the residents, represented by non-profit legal aid LBH Jakarta, filed a citizen lawsuit against water privatization in Jakarta. Amrta Institute was in constant support for the legal strategy, providing research studies and inputs that can be used in courts. While its long journey until the win in October this year, it also played a major role in political pressure. Since its early stage of the suit, it has become a strong bargaining position for the civil society to push for the end of water privatization. The questionable corporate moves of the private water operators to sell shares around the time of the win in Supreme Court also indicates the significance of this lawsuit.

Rallies and demonstrations were organized in collaborations with labor unions. Some of the major protests are: labor unions' strike in April 2011, when workers demonstrated in PT Palyja's office and stopped some part of the operation; September 2012 in front of Jakarta city hall (and 7 other occasions during the year); and April 2013 in front of PAM Jaya and PT Palyja's office.

Protests participated by residents and civil society organizations were also organized. One of the major protests were in 6 June 2011, when protesters demanded the end of water privatization by marching in Jl. MH. Thamrin, a main business district in Jakarta.

In order to raise awareness through the mainstream media, Amrta Institute worked closely with Tempo Magazine. Other major mainstream media that has been supported by Amrta Institute in the coverage of Jakarta water services issues are Kompas daily newspaper, The Jakarta Post, Bisnis Indonesia, and MetroTV.

In addition to through mainstream media, Amrta Institute also produced campaign materials through the alternative media. Two documentaries were produced about Jakarta water issues, they are Through the Empty Tap (2011), Jakarta Water Labor Unions' Rally (2011), and Subscribing to the Dry Pipes (2016). They are all accessible on YouTube. Popular publications were also regularly produced and distributed through various media.

Amrta Institute built an intensive coalition with water labor unions, LBH Jakarta, Women's Solidarity of Human Rights, and is informally part of KMMSAJ (a coalition of CSOs against water privatization in Jakarta).

Related legislations

The most significant support from the government of Jakarta as a result of intense pressure from the initiative, as mentioned previously, took place in 2013. Since the privatization began in 1998, governors of Jakarta were supportive or at least silent with the situation of water privatization (as the privatization was pushed from the central government since the beginning). However, in 2013, the governor of Jakarta listened to the aspiration of residents and declared the plan to take over water services from the private sector.

Previously, in 2011, public water utility PAM Jaya, after an intensive communication, came to a public discussion organized by Amrta Institute and decried the harms caused by water privatization. The event, followed by the governor's commitment, marked the change of policymakers' policy towards water privatization.

PAM Jaya demanded a contract renegotiation with its partners from private water operators. The provincial government of Jakarta took further steps by announcing the plan to purchase private water operators' shares. In 2013, provincial house of representatives approved a budget for PAM Jaya to proceed with share repurchase. The plan, however, was not executed yet until this report is made.

Lessons learned

1. Jakarta water privatization is backed by strong forces, such as the International Financial Institutions, both domestic and foreign governments, and the private sector wishing to secure businesses in other parts of Indonesia. Facing this circle of power could feel daunting most of the time, but achieving the goal is not impossible. The initiative against water privatization should be able to organize an equally strong coalition of civil society organizations that have established networks globally.

2. The initiative needs to be sensitive to political changes in Jakarta. During the period around 2012 and 2013, political atmosphere abruptly changed and civil society organizations could seize the momentum to significantly turn the tables and for the first time, termination of water privatization become the government’s policy.

3. Effective advocacy works are only possible if they are based on good research studies. If there is a common pattern during the long struggle of this initiative, it is its ability to build a strong argument against water privatization. Extensive research studies have provided hard facts, based on factual situation and figures, that provided stark evidence of problems caused by privatization, and of the effectiveness of public water management in providing good and reliable water services. Countermeasures by the central government and private water operators were never addressed to these initiatives’ arguments and data.

Lessons learned from other initiatives are also incorporated into this initiative. One particular initiative was the success of public water services in Paris, which ended a privatized system. Amrta Institute translated the book about the success story in Paris, and disseminated it to the public. The Paris initiative was important because it provides proof that public water management is better, and because it suggests an irony that even the country origin of the owner of private water operator in Jakarta, chooses public water management.

As the initiative is still ongoing, these lessons will be used as principles for future struggles.

EXTRA INFO

Supporting documents

1. <https://www.youtube.com/watch?v=Rk75O5cVF1w&t=11s> (*Subscribing to the Dry Pipes: The Problems of Water Services in Jakarta*, a documentary produced by Amrta Institute about water services issues in Jakarta)
2. <https://www.youtube.com/watch?v=x7zSkspVRBQ> (Amrta Institute’s TV talk show stating that the water should be managed publicly)
3. <https://www.voanews.com/a/water-privatization-to-end-in-jakarta/4077224.html> (news: Massive Water Privatization Program to End in Jakarta After 18 Years)
4. <http://amrta-institute.org/updates/167-public-discussion-19-years-of-water-privatization> (Public Discussion, 19 Years of Water Privatization)
5. <http://www.thejakartapost.com/news/2015/03/03/what-next-after-water-law-annulled.html> (op-ed article in The Jakarta Post by Amrta Institute’s Director Nila Ardhanie)