

Citizen Lawsuit Against Water Privatisation - Government and Operators Sued by Citizens

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JAKARTA, KOMPAS - Citizens sued the government over the not optimum quality of clean water service. They demanded the cooperation agreement between Jakarta's Regional Drinking Water Utility and two private operators to be terminated. Clean water management should be undertaken by PAM Jaya again.

The lawsuit which is filed by 14 citizens is in the second time of mediation process in Jakarta Pusat's district court, Monday (28/1).

There are seven defendants; they are the President, Vice President, Public Works Minister, Finance Minister, the Governor of Jakarta, and the President Director of Regional Drinking Water Utility (PAM Jaya). Two operators, namely PT PAM Lyonnaise Jaya and PT Aetra Air Jakarta, also become defendants.

The plaintiff's attorney, Arif Maulana, said, the cooperation agreement between PAM Jaya and the operators have to be terminated because it violates some regulations, some of them are Paragraph 33 Point 3 of UUD 1945 (The Constitution), Law Number 7 Year 2004 on Water Resources, and Regional Regulation Number 13 Year 1992 on PAM Jaya.

"Because of the cooperation agreement, clean water management have been turning to prioritize business profit. As the result, the average of Jakarta water tariff is very high, Rp. 7.800 per cubic meter," Arif said.

The water supply to customers is also frequently stopped because there are often network damages or insufficient raw water. Besides, the water is not equally distributed throughout Jakarta. This condition harms the citizens, especially the poor.

"The water is often yellowish, smells chlorine, and even not running. I only use PAM water for laundry, cooking, and taking a bath. For drinking, I have to buy bottled water," said Nurhidayah, a resident of Cilincing, Jakarta Utara.

PAM is ready to manage the water

PAM Jaya's attorney, Abdul Fickar Hadjar, said, their part is ready to implement court order or the policy of the utility owner, the government of Jakarta.

"Even if the cooperation agreement with the private operators has to be terminated, we are ready to manage the water. The important thing is, the water should be well available and the water tariff doesn't burden the consumers," he said.

PAM's water tariff policy, according to Fickar, is the domain of Jakarta provincial government and parliament. He proposed to arrange a meeting with the governor of Jakarta to discuss the issues.

Tamin M Zakaria Amin, the attorney of Public Works Minister, said, the cooperation agreement between PAM Jaya and the operators is not in the context of privatization. "This is private sector involvement to improve water service to citizens," said Tamin.

He said that it needs a joint meeting with the provincial government to see the issues clearly and transparently.

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* Translated from Kompas daily newspaper, 29 January 2013. KRUHA, Mon, January 28 2013 15:43: http://www.kruha.org/page/en/dinamic_detil/39/282/News/Government_and_Operators_Sued_by_Citizens.html