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Malama, A. and Kazimbaya-Senkwe, B.M. (2004)
Privatisation from above and from below: A comparative analysis of the privatisation of water and sanitation and solid waste management services in the city of Kitwe (Botswana and UK)

Privatisation from Above and from Below: A Comparative Analysis of the Privatisation of Water and Sanitation and Solid Waste Management Services in the City of Kitwe

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Abstract

Like most developing countries, Zambia has been going through very difficult times economically. This has seriously affected the capacity of various government agencies to provide public services. As a result the government and its agencies have over the past decade been forced to reassess the way in which publicly provided urban services are delivered. The key policy response has been a movement towards involvement of the private sector in the delivery of urban municipal services.

One of the key sectors in which the government of Zambia has been keen to implement policy reform has been the water and sanitation sector. The main thrust of reform has been the creation of Commercial Water Utilities in many parts of the country. As part of this process, the Nkana Water and Sewerage Company and the Asset Holding Company-Mining Municipal Services have been formed to take over provision of water services in the city of Kitwe and the smaller town of Kalulushi. This reform process has been driven by the government, with the support of numerous bilateral donor agencies particularly the German Technical Development (GTZ) and Irish Aid and financial institutions like the World Bank.

At the same time, a similar but parallel process has been going on at the local level in most Zambian cities which has seen the privatisation of solid waste management (SWM) services. This privatisation has been a more spontaneous development resulting from the recognition of the private enterprises of the economic opportunity provided by the failure of local authorities to manage their SWM. However, in places like the City of Kitwe the Local authority subsequently took a leading role in trying to manage this privatisation process.

This paper analyses the experiences of these two different privatisation processes in the City of Kitwe. The paper compares the process of privatisation of Water and sanitation services driven by government on one hand with that of SWM which was managed by the local authority (Kitwe City Council) on the other hand. It highlights the parallels and the differences in the two processes focusing on evaluating how these affected eventual outcomes. Particular attention is given to the

politics of public policy reform. The paper concludes that privatisation is a very political process and that consensus building and stakeholder participation are key issues that need to be addressed in implementing change in urban policies.

Key words: Privatisation; Private sector participation; Kitwe, WATSAN; SWM, Public policy implementation

Introduction

One of the sad features of contemporary urbanisation in Africa as elsewhere in the developing world has been the failure of responsible agencies to supply and maintain urban services to all citizens. In many parts of Africa access to urban services is generally restricted to the upper echelons of society whilst the multitudes must survive on services that are generally inefficient and unsafe. From the mid 1980s, however, there has been a growing concern globally for policy makers to pay attention to alternative forms of organising the ways in which urban services are delivered so that more of the poor can be served. Traditionally the public sector has been responsible for most urban service provision and in the search for an alternative, this sector has come under fire with the 1990s seeing a tremendous call for the private sector to play a leading role as providers whilst the public sector take on a more hands-off enabling role. The call for involvement of the private sector has not been limited to any one public service but has been advocated in the water sector, solid waste management, road maintenance, transportation, energy, telecommunications and right through to the entire spectrum of social services.

In Zambia as one would suspect in other African countries, the move to engage the private sector has taken two forms, one indigenous, locally driven and small scale, and another more exogenously engendered, foreign driven and quite large scale in comparison. Whilst a lot of research attention has been put on the more large scale reform processes, there has been rather little interest in the more local processes. Even less attention has been paid to understanding the differences and similarities between these two processes, their potential for cross learning, and their implications for contemporary urban management. What are the advantages and disadvantages of a local process compared to a state led one? Are there any similarities or differences between the two and what lessons do these proffer?

This paper begins to address some of these questions. By examining two parallel yet different reform processes that took place in the water and sanitation (WATSAN¹) and solid waste management (SWM) sectors in Kitwe, the paper attempts to unravel some of the key similarities and differences between an endogenous and exogenous reform process. The aim is not just to bring to light the more hidden local processes but also to offer insight into how differing processes can inform current thinking on policy reforms in Africa. The materials for this paper have been drawn from the authors' research work and involvement in both the WATSAN and SWM sector in Zambia.

¹ The concept of water and sanitation (WATSAN) is used here deliberately to discuss only water and sewage although solid waste could also constitute sanitation. For ease of discussion solid waste is discussed throughout this paper as solid waste management (SWM)

The paper is divided into 5 sections. Section 1 examines recent policy discourses in both water and sanitation and solid waste management within the developing world. The second section reviews the main debates around public policy reform processes highlighting examples from across sub Saharan Africa. The third then zeros in on Kitwe and outlines the processes and outcomes of WATSAN and SWM reforms in the Copperbelt Province of Zambia. Section four analyses the key differences and similarities between the two processes all the time seeking to explain the key factors behind these. The fifth and final section offers some analysis of the similarities and differences between the top-down and bottom-up approaches to reforms that have taken place on the Copperbelt with the aim of contributing to current thinking about policy reforms in these two sectors and drawing out possible future lessons.

Recent trends in Water and Sanitation

At the beginning of the 21st Century, access to potable water in a large part of Africa is still a privilege of only a portion of the population while the others still drink water generally considered to be unsafe. The same is largely true for many Asian and Latin American countries. Contemporary policy debates attribute the failure to provide universal access, to the public management of water systems which is said to be bureaucratic and inefficient. According to this argument, the public sector in Africa (and in other countries of the South) has failed because the political ambitions and managerial practices of many governments ran ahead of their economic capacity and promoted a utopian social vision of providing all citizens with a standard of water service far higher than both the citizens and the government could afford (Okun 1982; Todd 1987; Choguill 1996). Fledgling national economies could not be relied upon to generate the huge financial resources required for water investments to keep pace with burgeoning urban populations (Montgomery 1988; Munasinghe 1990; Devas and Rakodi 1993; Winpenny 1994; Choguill 1996; Biswas 2000). In the mean time 'institutional and technological incompetence', 'political malpractices' and 'ignorant' water consumers (i.e. ignorant about the real economic cost of water) undermined the possibility of generating sustainable economic growth within the water sector (see for instance World Bank 1993; Winpenny 1994; Young et al 1994; Biswas 2000).

Increasingly in some quarters the argument is put forward that economic factors will and are already becoming an increasingly important consideration in water supply because for much of the developing world, all the easily exploitable sources of water have already been developed or are currently in the process of being developed. This argument is largely informed by the water scarcity model derived by Falkenmark (1986). This means that the waters to be developed are according to Biswas (2000:13) geographically, technologically and environmentally more complex to handle and the cost of harnessing them and bringing them to the urban areas is now very high in real terms especially compared with the cost of the earlier generation of water projects (see also Winpenny 1994; Dinar 2000 for similar arguments).

In response to these identified weaknesses, institutional and pricing reforms usually entailing privatisation² of water functions and commercialisation or commodification (i.e. changing of a good or service from one perceived as a public or free good to one that has economic as well as market value i.e. tradable) of water have been promulgated as the solutions to this crisis (see for instance Winpenny 1994). It is argued that introducing private sector participation in water management will depoliticise water and enable the water managers to operate on economic rather than on political principles. Privatisation it is argued will also bring with it many benefits which cannot easily be obtained from public enterprises such as, the ability to attract the much needed investment capital and improved cost recovery; efficient resource utilisation; customer-oriented service delivery and various environmental gains through such programs as demand management and leak detection and control. Commercialisation or commodification on the other hand will give water its rightful economic value, thereby allowing utilities to charge economic tariffs, a move, which will improve profitability of water enterprises and hence improve their ability to expand their networks to the unconnected. Spurred by these arguments the Zambian government with at least 27 African governments (50% of the continent) are engaged in water sector reforms whose main aim is to commercialise and decentralise water functions as a way of improving accessibility to potable water. In Zambia as elsewhere improved access to water is now perceived as a function of an efficient market-oriented water institutional set-up and knowledgeable and rational water consumers who are willing and able to pay for the service.

Recent trends in Solid Waste Management (SWM)

The problem of inadequate solid waste management is a major cause for concern in many developing countries. RGWA (1996); UMP/SDC (1996); Stern (1995); Cointreau (1994) and Mansoor et al (1996), constitute only a small representation of those who have highlighted the problem of solid waste management in various developing countries. These studies have shown that in many places authorities charged with the task of managing solid waste have become increasingly unable to cope. In many places only a small percentage of waste is collected while the rest is left on open roads, drains, rivers and open spaces resulting in unsanitary environmental conditions and in potential and real pollution to soils and water courses. The reasons for this poor solid waste situation can be traced to the traditional approach to solid waste management, which in many places gives this responsibility to central government, parastatal or local government bodies. These institutions are generally hampered by inadequate resource mobilization, inadequate institutional capacity, low technical sustainability of waste handling systems, lack of enforcement of legal provisions, and lack of coordinated participation of stakeholders Cointreau-Levine 1994; Mansoor et al 1999.

Increasingly issues on Solid waste management in developing countries have developed around two main concerns: Sustainable development in the urban context and public sector reform including privatisation (Baud et al 2001). In support of public sector reforms numerous studies have highlighted deficiencies in public service provision (Baud et al 2001). The argument for private sector involvement has

² Throughout this work privatisation is used not to refer only to the sale of public enterprises but as used by Kasarda and Rondinelli (1993:142) “*a wide range of policies to encourage private sector participation in service provision and that eliminate or reduce the monopoly status of public enterprises*”.

included private sector qualities such as political independence, economic rationality, efficiency, dynamism and innovation as being very important to successful solid waste management (Obirih-Opareh and Post 2002). The literature also shows that in many places, most public solid waste agencies have not only recognised and accepted their incapacity, but are also moving towards a position that extends responsibility for solid waste management beyond themselves to other relevant stakeholders (see for instance Cointreau 1994; Mansoor Ali 1999). This is in keeping with the global trend of private sector involvement in SWM. Privatisation and community participation have therefore emerged as key concepts in the solid waste sector (see Post 1999, UMP/SDC 1996a, Furedy 1992). Privatisation of solid waste management has been experimented with in numerous cities including Manila, Jarkata, Semarang, Colombia, Bangkok, New Delhi, Dar-es-Salaam, Accra to name a few (see Cointreau 1994, UMP/SDC 1996, for more details). Thus from both a theoretical as well as practical point, there is a general agreement that waste management in contemporary developing cities is no longer a preserve of the local authorities but should be approached in a participatory manner that would include all relevant stakeholders, be they private companies, NGOs or residents. The role of the local authority then has to change to that of being supervisors to make sure that all regulations are complied with and the environment is kept clean. Rodinelli and Iacono (1996) have argued that since SWM is a public service the government whether local or central has to ensure that the public interest is protected through among other things enforcing appropriate standards, minimising corruption and avoiding monopolies. In Zambia the trend has also developed towards private sector participation but the process has been largely uncontrolled by the authorities.

The public policy reform process

The process of moving from exclusive public sector provision of services to include the private sector entails public policy reform. This calls for proper management of the entire policy process from initiation, process design, analysis, formulation, decision (adoption), implementation to monitoring and evaluation.

Brinkerhoff and Crosby (2002) have differentiated between the 'what' and the 'how' of policy reform. They have argued that the 'what' refers to the policy content while the 'how' refers to the implementation process. Elsewhere, Juma and Clarke (1995) have identified three main problems with the policy reform process as practiced by most African countries: (a) Governments have kept other institutions from taking part in the policy process (b) Policy making is mystified and treated as a secretive activity involving a small political elite and (c) the tradition of perceiving the public not as a clientele, or even as a resource but as a source of potential problems which the decision-makers must somehow neutralise. It has further been argued that in many African countries most agenda are set in the political arena and because of limited public accountability politicians and civil servants wield a lot of power in determining the direction and implementation strategies of public policy (Juma and Clarke, 1995:130). Similarly, Thompson (1961) has contended that part of the problem in Africa is that government policies are implemented by "subordinate administrators whose obedience to commands (of politicians) should be prompt, automatic and unquestioning". The power of the politicians in public policy reform process therefore cannot be underestimated.

As will be seen later, in both the cases covered in this paper i.e. WATSAN and SWM, the authorities were dealing largely with the ‘how’ of policy reform i.e. the implementation and to a more limited extent with the ‘what’ of reform. Implementing policy reform is not a smooth process and is quite controversial as it creates winners and losers and those who lose will usually want to derail the reforms³. It has been argued that ‘new policies often reconfigure roles, structures, and incentives thus changing the array of costs and benefits to the implementers, direct beneficiaries, and other stakeholders’ (Brinkerhoff and Crosby, 2002). It is important therefore, that everyone is carried along and negotiations take place so that amicable arrangements are made and some stakeholders do not feel like they have lost out.

According to Grindle and Thomas (1991) policy implementation is an on going, non-linear process that must be managed. Furthermore, Brinkerhoff and Crosby (2002) have argued that “the policy implementation process is at least as political as technical, and is complex and highly interactive. Besides technical and institutional analysis, it calls for consensus building, participation of key stakeholders, conflict resolution, compromise, contingency planning and adaptation”. Studies (see for instance Nakamura: 1992) have shown that even when the ‘what’ of the policy process is good, sometimes the policy outcomes are not as planned because of problems in the implementation of policies – the ‘how’ of the policy process. This makes a good case for the proper management of the implementation process in order to ensure that the results are in line with the objectives of the policies.

Some of the challenges of policy implementation identified by Brinkerhoff and Crosby (2002:18) are: ‘changes in roles, institutional and resource constraints, new patterns of interactions with other agencies and citizens, demands from new constituents, and the pressure to show results in a short period of time’.

There is a catalogue of problems with public policy implementation that have been identified in various parts of the African continent. Below are a few examples:

- In Uganda during the implementation of land tenure policy reform, lack of capacity led to problems such as the abolition of existing structures when new ones had not been set up. Additionally sufficient attention had not been given to regional differences in land tenure and land use which called for different implementation strategies (Palmer 2000:279). This affected the outcome of the reform process.
- In Tanzania, on the other hand, although authority to administer land had been transferred to the village councils the ministry of lands did not change its role to that of being an advisor and continued being involved in the administration.
- Brinkerhoff and Crosby (2002:6) also give an example of countries in Africa which are implementing community based natural resource management policies where the departments involved failed to make structural and procedural changes to accommodate the new policies and left the enforcement

³ This could be the politicians at the highest level who could feel threatened by the changes that are being proposed or it could be the bureaucrats (civil servants) whose interest may also be threatened. It may well be the street bureaucrats who have been identified as field workers such as teachers, policemen, welfare officers or legal service officers who ultimately have to implement the policy change (Lipsky; 1980). It could also be the NGOs or the communities who would be affected by that change or even their elected representatives such as MPs or Councillors. See also Dinar 2000 for more discussion about the political economy of reform in the water sector.

and policing role unchanged while trying to foster collaborative and participatory relations with local communities.

After reviewing the process of implementation of the Decentralisation policies in different African countries, Malama (2003) concluded that there were five key factors for the successful implementation of public policies in the African context:

- Political support
- Sufficient Funding
- Appropriate institutional arrangements
- Building of sufficient consensus to have enough broad based support for the policy and
- Proper monitoring of the reform process to make sure that it does not go off course.

So how have the authorities in Zambia fared up to the difficult challenges of designing and implementing policy reforms? The paper now turns to experiences in the city of Kitwe to try and see what happened in the water and sanitation sector and solid waste sector and to draw lessons from there.

The City of Kitwe

The City of Kitwe is located in the north-western part of Zambia (see Figure 1). The city lies in the heart of the industrial core of the Republic of Zambia, the Copperbelt Province and measures approximately 341Km².



Figure 1.0: Location of the City of Kitwe

The city evolved from the late 1920s as a copper mining town with Nkana (now Mopani⁴) Copper Mine forming the backbone of the city's economic activity supported by a host of both light and heavy industries and a rapidly expanding service sector. It also has a highly developed and fast expanding informal economic sector with at least 50% of the labour force in the formal housing areas employed within the informal sector (see Malama and Kazimbaya-Senkwe 2001:22). It is also fastly becoming an education centre through the continued expansion of the Copperbelt University and the development of a host of private schools and colleges. Kitwe is the third largest city in Zambia with a population of 388, 646 according to the 2000 census of population. Like 5 of the other urban districts in the copperbelt region, it is divided into two areas; a mine controlled area and a Council controlled area. These two areas have developed separately and have different arrangements for the provision of municipal services⁵. The paper concentrates on the council managed areas as that is where the spontaneous privatisation processes in SWM took place⁶.

Solid Waste Management Privatisation in Kitwe: A Local Process

Under the Local Government Act No. 22 of 1991, local authorities in Zambia are charged with the responsibility of managing solid waste within their boundaries. However, due to the dire financial situation that most Local Authorities have found themselves in and their inability to provide services⁷, they are not able to collect solid waste. The effect of this is more evident in the large cities especially Lusaka where heaps of garbage can be seen everywhere in the city.

In Kitwe, specifically, since the late 1980s, the ability of the Kitwe City Council (KCC) to carry out this function has diminished so much that solid waste has become a major problem both for the KCC and the residents. The problem has a very visible manifestation in the form of heaps of garbage evident as one enters the city, which leads to blockage of drains, posing general health hazard. As a result when the SINPA project⁸ started in 1998, solid waste management was identified by the stakeholders

⁴ The Copperbelt region has 7 major copper mines which until 1970 were operated by the Rhodesia Anglo American Corporation and Roan Selection Trust. From 1970 the mines were nationalised and operated by Zambia Consolidated Copper Mines (ZCCM was created in the early 1980s). Towards the end of the 1990s, and through to the 2000s, the mines were privatised and the Mines in Kitwe were bought by Mopani Copper Mines.

⁵ Kazimbaya -Senkwe and Simon Guy in forthcoming article 'Back to the Future? Privatisation and the domestication of water in the Copperbelt Province of Zambia, 1900-2000, in Geoforum, address the historical circumstances that led to the development of the duo towns on the Copperbelt.

⁶ Within the mining township, a formal privatisation of SWM had already taken place under the then mining parastatal ZCCM who sub-contracted out these works to private collectors.

⁷ In 1992 the central government stopped giving grants to councils. The impact of this policy shift becomes clear if one considers that in the 1980s, 70% of local authorities income used to come from government. Between 1994 – 1997 local government revenue declined in real terms by a staggering 20% [Crook and Manor (2001)]. Saasa et al (1999) has argued that lack of capacity to spend has resulted in decline in real expenditure of local authorities of 36.3% between 1994 and 1997. All the 72 councils (except Kitwe City Council) are behind in paying staff salaries. The Lusaka City Council which is by far the largest has not been able to pay its staff for 4 months. Smaller rural councils are even further in debt with some of them not having paid their workers for as long as 18 months. As a result there is generally very low morale amongst workers who go on strike very frequently. Mayuni (2000) when writing about one of the many strikes by workers in the Lusaka City Council said that even if the workers are on strike there is no difference and the effects of the strike are not felt because the city is as dirty as always with heaps of garbage everywhere

⁸ The SINPA project was born out of the Istanbul UN-HABITAT conference in 1996 and was meant to provide support to selected governments in the implementation of their National Plans of Action. It

from the city of Kitwe as one of 5 core areas that the KCC needed to urgently deal with under the project. The first activity undertaken by the SINPA project was a diagnostic study in early 1999 which concluded that only about 10% of the waste generated was collected and properly disposed of by the KCC (see Kazimbaya-Senkwe et al (1999). The study identified the following problems as working against the proper management of solid waste in the city of Kitwe:

- Weak Institutional and Administrative Structures⁹
- Poor Enforcement of Existing Legal Provisions
- Lack of coordination between the KCC and other stakeholders in solid waste services

In Kitwe like other cities in the country, private enterprises have formed Solid Waste companies to take advantage of the vacuum created by local authorities. Nine (9) companies were identified as having been established in Kitwe when the KCC decided to register those¹⁰ (Kazimbaya-Senkwe & Malama (2003). The process of private sector participation in Kitwe like other cities in Zambia started at the initiative of the private contractors. Despite this the KCC under the SINPA initiative decided to take the leading role. The arguments for this were twofold:

- The KCC has the sole legal responsibility for solid waste management in the city and any private companies could only do so with the blessing of the KCC;
- In order to have order in the SWM of the city there was need to have an institution with the overall responsibility of supervising all the players in the sector and the KCC was best placed to perform that role.

As a way of encouraging and streamlining wider participation in the management of the privatisation process the KCC set up a SWM task force which drew its membership from the key stakeholders of the city. Some of these were: KCC (both directors and politicians), Private contractors, Market committee, Copperbelt University (CBU), and later the Kitwe Chamber of Commerce and Industry (KCCI). The task force was given the mandate of managing the process of private sector involvement. It decided to pilot the privatisation in the Central Business District (CBD) and the Central market¹¹. This was based on the premise that it would be easier to get the businesses to enter into private contracts with the collectors since they had more money than people in residential areas. The main activities undertaken were:

- Registration of all existing Private Companies
- Having a meeting with business people from the CBD to consult them about the KCC's change of policy – to have the private sector collect SW

was funded by the Dutch government and was piloted in the City of Kitwe and worked with the KCC. It was aimed at capacity development and thus it was housed at the local university [Copperbelt University (CBU)]

⁹ Officially 3 institutions namely Kitwe City Council, Ministry for Local Government and Housing (MLGH), and Environmental Council of Zambia (ECZ), have some responsibility for waste management in the city.

¹⁰ See Kazimbaya-Senkwe and Huysman (2000) for more discussion about the type of companies formed to collect waste in Kitwe.

¹¹ This is Chisokone market that generates very large amounts of waste.

- Holding public information programmes on the local radio. These were phone in programmes and were more interactive and afforded the KCC an opportunity to get feedback from the residents over their change in policy
- Giving support to the market committee in entering into a contract with a private Company who they paid for refuse collection, with the KCC retaining an oversight role in the arrangement
- Helping the private companies to register with ECZ. It was discovered that most of them did not even know that they needed to register with the ECZ. A workshop was held for all stakeholders involved in the SW in the city at which they were not only educated on the law and government policy regarding SWM but also where they were consulted on the new policy in SWM
- Identifying the private companies with capacity to collect refuse from CBD and publicising their names to the potential clients
- Setting in motion new by laws in SWM in the city which the task force completed and handed over to the council to be adopted at a full council meeting before being sent to the minister of LGH for approval. These by laws were supposed to underpin the process of policy change and implementation

The Solid Waste collection system at the central market succeeded and became self sustaining. However, in the rest of the CBD, there was resistance by the businesses to register with the Private contractors insisting that they were already paying the KCC for the service. Some did however sign contracts with the private contractors although it is not clear how many of these contracts are still running. Despite agreeing that they would withdraw and only maintain oversight, the council continued collecting SW from the CBD which may have had the effect of discouraging the businesses that may have wanted to register with private contractors. Only one of the 4 contractors registered a sizeable number of clients for SW collection.

However, one of the major successes of the initiative was that it created a lot of awareness in the city of the need for all stakeholders to work together and deal with the problems of solid waste management. There is now an even larger task force called the city solid waste platform which with the support of the UN Habitat has taken over the work of the Task Force. This is under the Sustainable Kitwe Project (SKP) which continued with the work of the SINPA project.

Commercialisation of WATSAN in Kitwe

As with SWM, the KCC who were charged with providing easy access to potable drinking water in Kitwe failed to do so. It is not known precisely how many people in Kitwe have no access to potable water. What is clear however is that a significant portion of the population, particularly those resident in peri-urban and squatter areas are not connected to the public water network. In the words of Sanjeev Sharma such communities exist in the ‘City-Beyond-Network’ and must in large part provide their own water from sources generally considered insalubrious. Indeed even those who are connected to the public water network and resident in the ‘City-of-Network’ numerous water problems abound not least inadequate hours of supply, low pressure, and water of dubious or suspicious quality (see for instance Malama and Kazimbaya-Senkwe 2001).

As in other parts of the developing world, the reason for this inadequacy of water services in Kitwe has been attributed largely to the management by the public sector who are said to have inadequate financial resources to meet the needs of rapidly expanding populations (GRZ 1999:vii); failure to recover recurrent costs from consumers (GRZ1994:28); charge uneconomical tariffs (Wekwete 1994:65); operate in fragmented and uncoordinated institutional arrangements (GRZ 1988, 1994, 1995, 1997); have inadequate manpower resources (GRZ 1997b); and operate within an inadequate legislative framework (GRZ 1988). In addition these public institutions have also suffered from consumer unwillingness to pay for services (GRZ 1994:28, GRZ 1997). Thus as in the other parts of Africa, the Zambian government has since 1993 been engaged in reforming the water sector so as to make it more reliable and effective.

Although WATSAN reforms were implemented at the city level in Kitwe they were part of a wider policy reform programme at the national level spearheaded by the central government. In 1993, the water sector reforms started during the late 1970s under the United National Independent Party (UNIP) of the first president Dr Kenneth David Kaunda were given impetus by the establishment of the Water Sector Development Group (WSDG) by the new neo-liberal government formed in 1991 under the Movement for Multi-party Democracy (MMD). Key principles of the reforms included a commitment to the commercialisation of water services with the possibility of getting private sector involvement in the sector (GRZ 1994). As part of this process, four new institutions were established and took over supply of water and sanitation services in the copperbelt region. The first three institutions were the Commercial Water Utilities (CUs) inaugurated to take over provision of water services within the local authority controlled areas of the Copperbelt (See Table 1 below).

Table.1: Commercial Water Utilities formed on the Copperbelt Province

Commercial Water Utility	District Grouping
Kafubu Water and Sewerage Company (KWSC)	Ndola, Luanshya and Masaiti*
Mulonga Water and Sewerage Company (MWSC)	Chingola, Chililabombwe and Mufulira
Nkana water and Sewerage Company (NWSC)	Kitwe and Kalulushi

The fourth one was the Asset Holding Company Mining Municipal Services (AHC-MMS) created to take over the WATSAN services in the areas previously serviced by the mining company Zambia Consolidated Copper Mines (ZCCM). ZCCM was privatised in 2000 and the new owners did not want to be involved in non core mining activities.

Some of the key activities in the WATSAN reform process are listed in Table 2 below. The reform process has continued and currently the government is actively considering merging all the 3 CUs and the AHC-MMS. This is partly because the CUs have been facing serious financial problems since they were set up. They have a bloated workforce which they inherited from the councils and still cannot recover their costs.

Table 2: Key Events in the Water Reform Process in Zambia

Date	Activity
March 1993	Programme Coordinating Unit (PCU) set up at the ministerial level (comprising permanent secretaries from relevant ministries) to launch a 10 year reform programme after pressure from foreign donors and also recommendations from a workshop held in August 1991. It was given the responsibility of spearheading the reform programme
February 1994	Water Sector Development Group (WSDG) set up as the full time secretariat of the PCU and funded by the Norwegian Development Agency (NORAD) and Germany Technical Cooperation in Zambia (GTZ). Further funding came from the Ireland Aid. The WSDG also had full time staff attached from GTZ as part of technical assistance
July 1994	Based on the 7 principles adopted by cabinet the WSDG proposed a strategy and institutional framework for the reforms
November 1994	First ever national water policy adopted by government
November 1994	Cabinet memorandum to restructure the water sector issued
1995	The national water master plan prepared and funded by the Japanese International Cooperation Agency
December 1995	Draft water and sanitation bill based on the WSDG strategy completed
October 1996	Preparatory studies for the establishment of Commercial Utilities (CUs) on the Copperbelt commenced funded by the World Bank or NORAD
February 1997	Workshop to discuss the commercial viability of the Copperbelt CUs funded by the World Bank
August 1997	Ministerial statement transferring WATSAN responsibilities to the MLGH
1997	The Water Supply and Sanitation Act enacted providing for the establishment of a water regulator (National Water and Sanitation Council-NWASCO) and the CUs
March 1998	WSDG transformed into the Water Reform Support Unit (RSU)
1999	3 CUs inaugurated on the Copperbelt, one of them being the Nkana Water and Sewerage Company which is responsible for Kitwe. These were initially supposed to have been inaugurated in July 1996
August 2000	The 3 CUs finally became operational
September 2000	RSU transformed into NWASCO. Originally supposed to be established in April 1996
2000	AHC- MMS set up to take over the WATSAN services in the mine townships funded by the World Bank

Similarities in the WATSAN and the SWM reform processes

Lack of participation of Stakeholders: Although both initiatives were driven by some form of structure, the PCU/WSDG in the case of WATSAN and the taskforce in the case of SWM, the involvement and level of participation of different stakeholders was in both cases superficial. The Solid Waste Management task force attempted to consult the stakeholders and also involve them through their inclusion on the task force. However, in most cases members never saw the need to come to meetings as they were expected to volunteer their time. Thus, their involvement was not as much as it should have been. Furthermore, the businesses in the CBD who were the key stakeholders did not systematically participate in the process e.g. they were only met once by the Town Clerk and the Mayor, although attempts were made to give out more information through the local radio. This was a very low form of participation in which the stakeholders were merely ‘informed’ rather than consulted (see for instance Arnstein 1969).

The WATSAN process on the other hand used the system of workshops. These were held in Lusaka for the main stakeholders and in the Copperbelt for the local stakeholders. Stakeholders indicated that they felt that the government, together with the World Bank, had already decided the type of reforms they were going to implement and only needed the stakeholders endorsement¹². It was thus, very much top down with the workshop largely being used to meet the requirements that stakeholders needed to be involved. The councillors and the communities to be affected were never consulted. For the councillors, they would sometimes be briefed in council meetings. The following quote typifies what the local authorities perceived the consultation process to have been: *“I would admit the consultation process did not give us much choice as councils. We did not have much choice in the matter...there was no way any council could say no to the proposal whatever it was”*¹³.

In a survey done by Malama and Kazimbaya-Senkwe (2001) when residents of the affected areas were asked about their knowledge of the formation of the CUs some of them indicated that they were aware although they did not understand what it was about. In a focus group discussion, for example, one person said *“I have seen their vehicles but I thought they are supposed to be fixing electricity”*. The few who knew about the CUs formation gave answers such as *“I have seen their cars, I saw a poster, a friend told me about it”* etc. Although new commercial companies had been created the consumers still continued resisting paying for WATSAN services in part because of lack of consensus building and stakeholders participation, which negatively affected the viability of the new system of service provision.

Institutional arrangements: As already noted both processes were spearheaded by structures formed specifically for the purpose. However, the

¹² For example one of the authors attended a briefing by the MLGH and the World Bank on the reforms that was held in Kitwe in 1999 at which it was clear that decisions about the nature of the reforms had already been made and the stakeholders who included officials and politicians (Mayors) from the copperbelt councils were expected to cooperate in the process of implementation.

¹³ This is from an interview conducted with the acting Town Clerk of Ndola City Council on the process of WATSAN reforms

WATSAN structure was full time whereas the SWM structure was not only part time but members were also expected to volunteer their time.

Although the Task Force was in charge of overseeing the implementation process, it did not have any real power to get anything done. That lay with the politicians and officers. This was similar to the WATSAN as the secretariat did not have any real power but the difference was that they could use the power of the appointing authority to get things done which was not the case with the SWM.

Impetus from External Forces: In both cases, the work of agencies that were outside of the reforming organisations seemed critical in pushing forward the reform. In the case of SWM the consultants from the CBU and IHS spent considerable time encouraging the KCC to take important decisions to keep the process going. For example throughout the project SINPA continually collected and provided information on the status of the privatisation exercise highlighting any successes scored and encouraging the KCC staff to push forward with the process. The same was true for the reform of WATSAN where external agencies especially GTZ, NORAD and Irish Aid constantly pushed the government to take key decisions usually using financial leverages to do so. This external support seemed an important way of giving assurance and support to those individual agents within the reforming organisations who were key and keen players in the process.

Targeting the upper social classes: Although the inadequacy of urban services affects the poor more disproportionately than the better - off, both processes initially targeted the well - off and only later the poor. This was for the rather obvious economic reason of aiming for full cost recovery. In the case of SWM, the private companies that started the privatisation process were in it for financial gains and hence all their clients were residents of the high income neighbourhoods as well as commercial and industrial premises. Even when SINPA stepped in, economic considerations were still at the fore and hence the choice of the CBD as the pilot 'flagship' project. Expansion of the project to the residential sector was also programmed for the high cost income areas first and only later to the poorer neighbourhoods. Indeed the KCC were quite satisfied with this because it meant they would not need to get involved in the politics of cost recovery from poor households.

Similarly with the WATSAN, the initial focus of the reform was on improvement of services to those who were already connected to the public water network rather than extension of services to the unconnected residents of peri-urban and squatter areas. This again was due to the emphasis on cost recovery as one of the key principles of the reform. Indeed it was only in 1997 upon the insistence of NORAD, GTZ and Irish Aid that a 'Peri-Urban Strategy' was developed (see GRZ 1999). To date not much activity has taken place in terms of extending services to the 'Cities-beyond-network' although infrastructural rehabilitations over the past 5 years has meant that those who are in the cities-of-network, now have a slightly better service than before.

Joint Effort of Local and International Experts: In both SWM and WATSAN local and international experts figure as important agents of change. In the case of SWM it was the joint work of experts from IHS, CBU, ECZ and the private sector in Zambia sharing and learning from each other and working collaboratively to

push changes in Kitwe. A similar situation pertained in the WATSAN reform where local Zambian experts that constituted the WSDG worked jointly with international experts from GTZ, NORAD, World Bank Irish Aid etc to push that reform process through. This rather mundane and obvious point is made here to emphasise that even though a reform process may be designed outside of a place (which it should not really be) it nonetheless requires local agents to be pushed through.

Differences in the WATSAN and the SWM processes

Finance: One of the major differences was that the WATSAN process was backed by donors such as GTZ, Ireland AID and World Bank who were prepared to finance the process. Thus a lot of money was available to ensure that this process succeeded. Although SWM process was also financed by an external donor, this was through a small project based at the KCC which was looking at four (4) other aspects of the KCC as well. As a result, lack of funds was always a challenge that hindered the process of implementation. Because of this, the SWM process stalled as participation in the task force could not be guaranteed, and even basic things like transport for staff to go and meet stakeholders, stationery for writing memos to stakeholders were a problem. In the WATSAN process on the other hand, stakeholders who attended workshops would be paid money. It has been established that availability of funding is one of the most important factors that contribute to the success of the implementation of a policy reform process (see for example Ayee 1997; Malama 2003; and Gulhati 1989).

Politics: One of the key reasons why the process in the WATSAN was successfully completed was the political will of the government. For example for the reform process to be completed, there was need to establish the legal framework which would facilitate the creation of new structures i.e. CUs. Even though it took longer than initially envisaged, it took only three years from the adoption of the water policy to the establishment of the legal framework. This should be contrasted with the process of decentralisation where the adoption of the policy took seven years and two years later the policy still has to be officially launched by the politicians. It has been argued elsewhere that this is because there is lack of political commitment to the process of decentralisation in Zambia as the central politicians do not want to share power (Malama 2003).

Additionally, although some stakeholders did not agree with the reforms in WATSAN the government used its political muscle to push the reforms through. For example, the Local authorities were forced to accept 51% shareholding in the CUs although they wanted a different arrangement¹⁴. Furthermore, after much resistance the local authorities were in 1999 forced to hand over their assets to the newly created CUs through a statutory instrument.

In the Solid Waste Management the political will of the KCC to implement change was very much in doubt. For example, they needed to enact SW by-laws to underpin the process but, this was never done despite the task force completing all the necessary work. This inaction seriously subverted the process of reform as it was difficult to compel the businesses in the CBD to adhere to the new 'rules'. Furthermore, councillors were unwilling to ask their residents to pay private

¹⁴ Interviews with officials from the WSDG, NWASCO and local authorities.

companies for the SWC as this would make them unpopular. Previously, when councillors were called upon to go and explain to the marketeers in their wards why the council had raised the market levy many of them refused indicating their unwillingness to become unpopular. This was, despite a full council meeting resolving to increase the market levies.

The power relations in Zambia are such that the central government has a supervisory role over local government and can therefore order local authorities to obey instructions. The Local Government Act of 1991 has given wide ranging powers to central government including the dissolution of local authorities. In many instances the local politicians at the KCC expressed fears that if they did not obey instructions from central government they would be dissolved (see for instance Malama 1999). In fact since 2000 two local authorities have been suspended i.e. Nchelenge and Siavonga, whilst during the 1990s both Lusaka and Ndola City Councils were dissolved and replaced with a local government administrator chosen by the central government. This means that central government has sufficient muscle to push through reforms even when local government is not too keen on them. Thus despite the largely top-down approach used by the central government over the WATSAN reforms the local authorities did not have much choice but to go along with the reform process.

The power relations between the politicians and officers at the local level are slightly different. Although on paper the power rests with the politicians (because they have the mandate to run the local affairs from the citizens and the councillors are mandated by law to hire and fire staff) the civil servants still have a lot of power to frustrate them. The officers look down upon local politicians as being uneducated and incapable of running local affairs. Thus, there exists a relationship characterised by suspicion as politicians suspect that the staff do not always give them all the information they need to make good policies. The politicians are at the mercy of staff who can easily frustrate them when they want to. However, disciplining officers is not easy as the politicians would not normally have the information they need as they depend on staff for most decisions. This is in part because the local government is shunned by most citizens and is seen as not being glamorous. Furthermore, it is used as a method of rewarding 'party cadres' especially by the ruling party - these are adopted regardless of whether they make the grade or not. Thus, at local level unlike central government the politicians do not always have their way and as such do have difficulties in getting a lot of their decisions implemented¹⁵. Thus, whereas the politics in the case of WATSAN ensured that the process was eventually concluded, in the case of SWM it stalled partly because the politicians could not get things done.

Capacity of Staff: The other crucial difference was that the WATSAN process saw the setting up of a secretariat with staff who were well compensated as they were not Civil Servants – they were employed as project staff. As a result they were highly motivated. Additionally, GTZ seconded some staff to the WSDG who assisted the local staff. The World Bank also helped by engaging consultants who churned out important information during the various stages of the process that helped in decision making. The SWM on the other hand relied on KCC staff who were highly de-

¹⁵ See Malama (1999a) in which KCC politicians were complaining in a workshop that most of their resolutions were not being implemented by the officers.).

motivated as a result of the poor working conditions. Strikes have become a common occurrence in Local government and the workers at the KCC were on strike for almost half of the four years the SINPA project was in operation. The part time technical assistance from Institute of Housing and Urban Development Studies (IHS) and Copperbelt University (CBU) could not make much difference. As a result, the process was not properly handled e.g. some radio programmes could not take place because staff were not available. A good number of meetings of Task Force could not take place as well because notices were not sent to the members by the KCC staff.

Discussion

According to the literature lack of capacity has been one of the major problems that has been cited for failure of many public policy reform processes in Africa (Juma and Clarke 1995 and Palmer 2000). The policy process at the local level was a victim of this problem. It can be seen that some of the problems exhibited are similar to those reported elsewhere. For example in Tanzania where the government departments who were supposed to delegate some of the public services to local institutions (and therefore change their role to that of supervision) continued to perform them which undermined the process of implementation of the land reforms. The KCC failed to change its role to that of supervision after the new SWM initiative was supposed to have started. This seriously affected the implementation process as potential clients did not see the need to pay for a service that they could get for free from the local authority however erratic it was. Lack of capacity in Zambia is a national problem. For example, the World Bank in their report on the health reforms in Zambia concluded that one of the major reasons the reforms did not meet most of their objectives was lack of capacity from the civil servants who were implementing the policy, citing their failure to learn from the process of reform even after doing it for some time (World Bank 2000).

Lack of proper consultation has also been cited as a big problem in public policy implementation in Africa. This is evident in both processes. The problem with the SWM is similar to the one faced by the Ugandan government when it was implementing a new land policy. Due to lack of consultation, the stakeholders who were supposed to support the process of reform for it to succeed refused to do so. For example MPs who were supposed to pass legislation to underpin the reforms refused to do so (Palmer 2000). In the same country, though, the process of decentralisation was much more successful because of the exhaustive consultative process that was adopted and made it possible for the law to be changed more than four times between 1986 and 1997 to facilitate the process of implementation (Malama 2003). Lack of consultation dealt a serious blow to the SWM process as the businesses in the CBD did not cooperate and the success of the reforms very much depended on their cooperating. In the WATSAN although there was an equal lack of consultation and participation in the process by many stakeholders, the most resistance came from the local authorities as they were the most directly affected. Fortunately, local government is subservient to the central government and could thus be coerced. Juma and Clarke (1995) have acknowledged the lack of consultation as a common feature of the policy process in Africa citing the tendency of African politicians not to look at citizens as a resource but as a 'nuisance' which should be neutralised as the main reason.

It is clear from the discussion above that finance made a big difference in the achievements scored in the WATSAN process whereas the SWM process suffered from lack of finance. Examples from other African countries show that finance is important. For example in Ghana the process of implementation of the decentralisation policy suffered very severely as the government did not have money whereas in Uganda where a similar process was heavily funded by external donors performed very well (Malama, 2003). In Zambia itself the government has had policies fail in the past due to lack of funds. Gulhati (1989) who studied the economic reform process of Zambia in the 1980s concluded that lack of finance was partly to blame for the failure of the reforms.

Politics played a very big role in the outcome of the two processes. Because of the power relations that exist between the central and local governments the WATSAN process proceeded fairly 'smoothly'. This agrees with the observation of Thompson (1961) that in Africa government policies are implemented by subordinate administrators who are expected to do so promptly and without questions. In SWM on the other hand the power relations were not so clear cut and as such the politicians could not exert the same influence. However, the problem went beyond that as the politicians were also not keen on implementing the new policy because of fear of becoming unpopular. As shown above political will is very important in policy implementation and elsewhere in Africa this has been proved right, as the case of decentralisation Uganda (referred to in the 'politics' section above) would show [for more details see Malama (2003)]. In the WATSAN process the law was changed by the politicians to facilitate the implementation of the new water policy without which the CUs would not have been formed. In the SWM process the by-laws which were supposed to serve the same function were never passed by the council and seriously undermined the process of reform.

Conclusion

Although the two processes were not only taking place at different levels of government but were also in different sectors, it can be seen that they were very similar in nature. There was insufficient consultation with and participation of stakeholders in both cases but the crucial difference was that in the case of the WATSAN central government which was in charge of the process had the power to force the process which was not the case with the local authorities. Both had similar institutional arrangements for implementation.

Despite the foregoing there were some major differences too. The SWM process which was implemented at the local level had stiffer challenges. It suffered not only from lack of funds but also the capacity of the people involved in the process was not as good as those of the WATSAN process. Politically too, the politicians at the local level were not very keen on implementing the new SWM policy as was evidenced by their failure not only to persuade their residents to move over to the new system but also their inability to pass crucial legislation that was going to underpin the implementation of the new policy. In the end the politics made a very big difference to the success or failure of the two processes.

One thing which has not been highlighted here which is worth thinking about is the role of 'individual agency' within these political processes of policy reforms. As noted on the similarities section above, the staff within the reforming institutions

that were keen on the reform seemed to benefit from the support provided by external stakeholders. Similarly objections to the reform process are not always played out by groups, but by individual players as well. Thus this is an important aspect of the reform that needs to be examined further particularly if it is considered that collective action is really an agglomeration of individual actions.

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