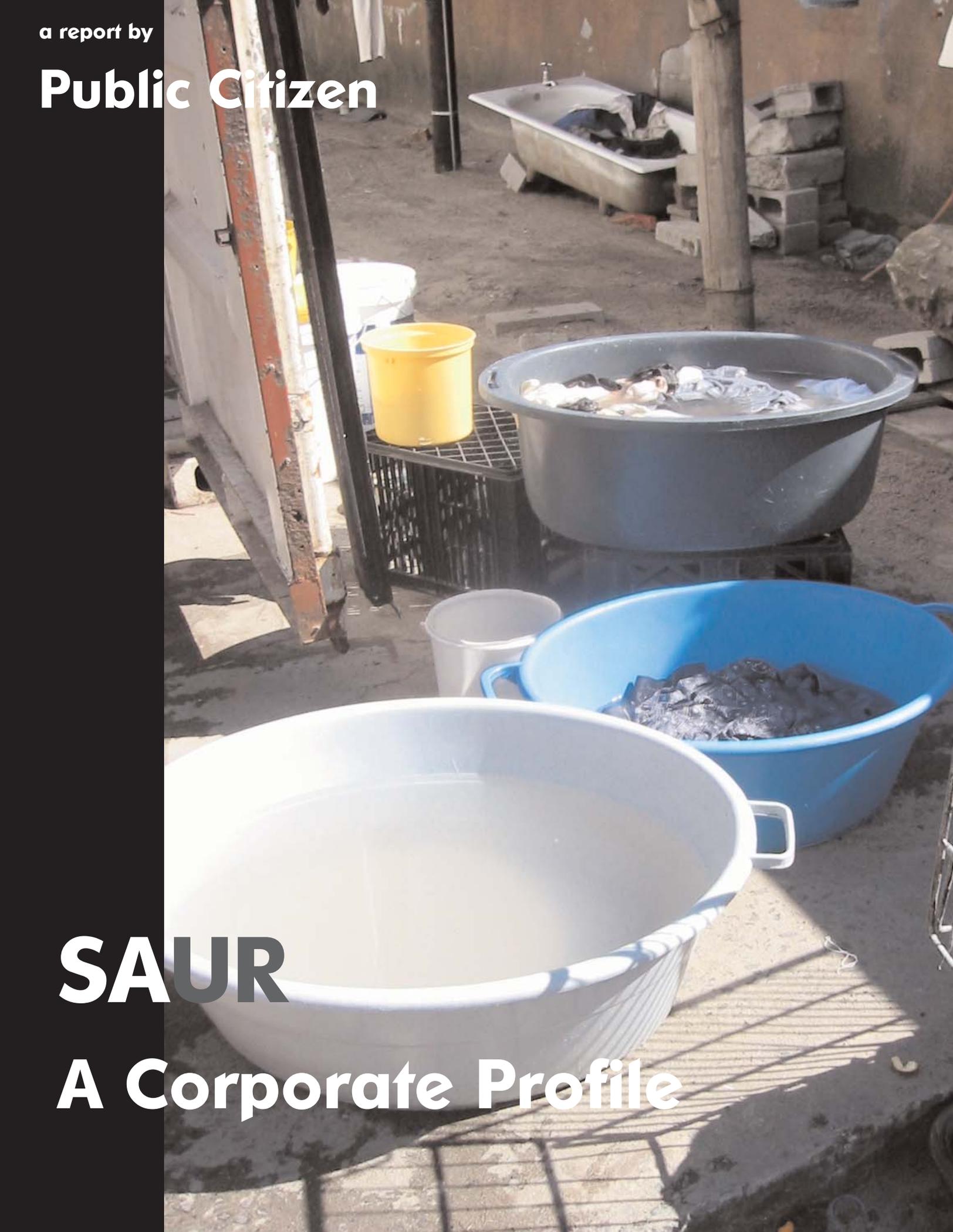


a report by

**Public Citizen**

A photograph of an outdoor laundry area. In the foreground, a large white tub is filled with water. To its right, a blue tub contains dark laundry. Behind the white tub, a yellow bucket sits on a metal grate. In the background, a white sink is visible on a concrete surface, with a wooden post and some stacked bricks nearby. The scene is brightly lit, suggesting a sunny day.

**SAUR**

**A Corporate Profile**

# SAUR

## A Corporate Profile

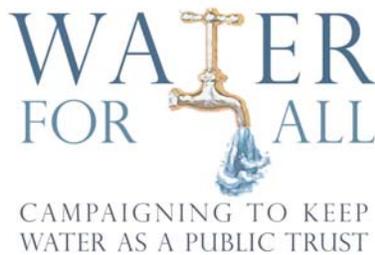
A special report by Public Citizen's  
Water for All program.

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*Photograph by Maj Fiil-Flynn*



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# SAUR - A Corporate Profile

*“Financing solutions for water infrastructure would have to include substantial grants and soft funding with the WB [World Bank] groups playing a key role as financier and coordinator”*<sup>1</sup>

SAUR Executive

SAUR along with Suez, Vivendi, Bechtel, Biwater and RWE/Thames Water have long claimed that they can bring needed investment to starved public water utilities. In reality these large water corporations, who are vying to control the world’s water resources, are seeking taxpayer handouts in order to reap profits from the provision of water services. SAUR, along with other multinationals providing public infrastructure services, seek ‘substantial grants’ in order to reach their so-called ‘altruistic goals’ of providing water services. Now, SAUR is asking for a bail-out due to the misfortunes it is facing in several African countries. It has been shown again and again that these companies build their fortunes on publicly-sponsored projects that have huge cost overruns and fail to provide access to clean and affordable water to all, especially the poor. The SAUR executive quoted above was seeking nothing short of a public bailout when he spoke in 2002.

SAUR was established in 1933 and became a subsidiary of the Bouygues Group in 1984. Olivier Bouygues has been the chairman and chief executive of SAUR since May 1997.<sup>2</sup> Previously, his brother Martin Bouygues held that position.<sup>3</sup>

According to the SAUR website, the company provides water to almost 31 million people throughout the world – 6 million consumers are served in SAUR’s homeland: France. France has given the world wonderful wine and bread – and it has also developed the model of water privatization that is pushed by the World Bank, the European Union and many bilateral agen-

cies. SAUR employs 25,600 people, 8,000 of them are based in France where the corporation controls the empire. In 2000, 40% of the annual revenue of EURO 2.4 billion arrived from overseas in a period where SAUR was busy establishing international contracts in order to expand its reach.

SAUR consists of 4 entities:<sup>4</sup>

**SAUR France** provides water to 7,000 communities in France and operates in the West Indies (130,000 people) and Reunion (250,000 people).

**SAUR International**, the holding company of SAUR outside of France, claims to serve a total of 45 million people in energy and water services combined. This part of the group was created in 1995 in order to expand to new markets and reap the benefits from increased multilateral funding to private water utilities. Electricite de France, another major corporation that invests heavily in energy internationally and holds a monopoly on the French energy market, bought a 23% share in SAUR international in 1995 through a subsidiary configuration.<sup>5</sup>

**Stereau** designs and constructs water and wastewater treatment systems.

**Coved** provides wastewater treatment in France.



After a number of years with little growth in the water sector, SAUR is moving aggressively to gain new markets. This approach resulted in some difficult and troublesome involvements around the world. Examples include a bid for a controversial contract in Ghana, involvement in a problematic contract in South Africa, and withdrawal from a losing venture in Mozambique.

### *Silent Exit From Mozambique*

World Bank structural adjustment policies required the Mozambican government to implement the usual assortment of privatization, liberalization and fiscal austerity measures. New loans and debt relief were specifically conditioned on the implementation of water privatization and cost-recovery policies. In order to create the institutional framework to fund, regulate and protect the entry of foreign private corporations in the provision of water services, the Mozambican government created a new legal framework by decree 72/98 in 1998.<sup>6</sup> The decree established the Water Supply Regulatory Council as a consumer watchdog and regulatory authority, the Fundação Investimento Nacional de Águas (National Water Supply Investment and Assets Fund) which remains responsible for the infrastructure and assets and the Delegated Management Co-ordination Forum that brings together the agencies involved in the framework.<sup>7</sup> The development was supported by two loans from the World Bank. The first loan of US\$36 million was awarded in 1998 in order to support privatization and full cost recovery.<sup>8</sup> The second World Bank loan was awarded in 1999, co-financed by the African Development Bank and the Netherlands government. The second loan totaled US\$75 million.<sup>9</sup> Eighty percent of the loan is earmarked to expand services while the remainder would support existing operations.

Private sector-led development is contrary to the recent Mozambican experience. Since independence in 1975, Mozambique has been

led by a socialist government that promoted the role of the public sector and created a welfare-inspired development model. Development progress was destroyed by the rebel war with the South African Apartheid-sponsored Resistência Nacional Moçambicana (RENAMO). With enormous debts dating back to Portuguese colonial rule, the Mozambican government felt there was no alternative option to the private sector development model. The water privatization contract was awarded to SAUR in 1999 after fierce bidding.

The lease contract was awarded for 15 years in Maputo/Matola and 5 years in the other cities.<sup>10</sup> The consortium of private companies included Portuguese IPE-Aguas de Portugal that holds a 31.5% interest, the Mazi-Mozambique consortium that holds 30% and SAUR International as the lead contractor with 38.5%.<sup>11</sup> SAUR was already involved in the electricity privatization scheme and therefore had a presence in the country. The consortium was responsible for collection of consumer water fees and received funding to upgrade and expand the existing water infrastructure. In addition, SAUR won a contract in a joint venture with the Mozambican CETA to construct an 8.4 km pipeline from Chamanculo (a Maputo suburb) to Matola.<sup>12</sup> In order to please angry labor unions, the Minister of Public Works and Housing, Roberto White, promised that no worker would be laid off in the first year of operation, sending a warning of poor protection of workers in the future.<sup>13</sup>

The high powered connection in the contract was the very influential Mazi-Mozambique Consortium which has as its majority shareholder the Fundação para o Desenvolvimento da Comunidade (Community Development Foundation), an organization created for community development in Mozambique by Graça Machel. Machel was the education minister and wife of the late Samora Machel, the first presi-

dent of the Mozambican republic, and (current) wife of previous South African president Nelson Mandela. A consortium involving such influential connections seemed unlikely to fail.

However, only 25% of the population had piped water services and this provided the consortium with a major challenge. The contract held no protections for poor consumers, yet it imposed a rigid cost-recovery policy which was guaranteed to create a deeper gulf between those who could afford water and those who could not.<sup>14</sup> Criticism appeared from many sources. With increased water rates the supposed beneficiaries were unlikely to reap the benefits from improved water infrastructure. Shortly after announcing major piped water extensions in Maputo,<sup>15</sup> SAUR International announced that it would withdraw in December 2001. No reason was given for the withdrawal from the contract. As a result Aguas de Portugal became the major shareholder and began searching for a new partner.<sup>16</sup>

### *A 99 year contract*<sup>17</sup>

In 1904 the city council in Valencia made a 99-year agreement with SAUR to provide water to the city through the subsidiary Aguas de Valencia. After 80 years of service the city council started discussing the future of the water utility and informed SAUR that it might discontinue the relationship. SAUR lobbied to avoid competition and extend the contract for an additional 50 years, through 2053. The corporation contended that it was the rightful owner of the utility. SAUR wanted to avoid competition in the city and managed to convince the council to extend the contract without a bid period. The contract is estimated to be worth 350,000 million pesetas. The council embarked on a set of new conditions in order to create local participation in the contract, but in 1999, SAUR once again had majority in Aguas de Valencia after acquiring 36% of the shares.<sup>18</sup>

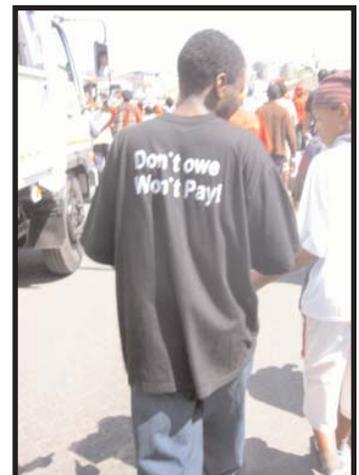
### *Highland Bribery in Southern Africa*

The controversial Lesotho Highlands Water Project, was initially sponsored by the Apartheid government of South Africa in order to construct a dam that would supply the white suburbs of Johannesburg with clean water. SAUR was involved in the project through the company Highlands Water Venture (joint venture between RWE, Bouygues (SAUR), Group Five, Impregilo, Kier Intl and Stirling Intl). The Highlands Water Venture was alleged to have bribed officials with as much as US\$733,404 in order to receive beneficial treatment.<sup>19</sup>

Initially the charge was brought against the officials who took the bribes, but due to public pressure an investigation was launched against the companies involved in project. Twelve multinational companies were involved in the Lesotho Highlands Water Project, all from countries who have signed the Organization for Economic Cooperation and Development's convention on corruption and bribery.<sup>20</sup>

On July 29, 1999, the Lesotho government charged the former CEO of the multi-billion-dollar Lesotho Highlands Water Project, Masupha Sole, with fraud, perjury and taking bribes.<sup>21</sup> In 2002, the engineering company Acres International was found guilty and Masupha Sole was sent to prison to serve a 15-year sentence. On June 17, 2003, Lahmeyer International was convicted of paying US\$550,000 in bribes, far more than initially estimated.<sup>22</sup> The allegations against SAUR have not resulted in any prosecutions.

In theory, the OECD convention imposes forfeiture of a contract's total value in instances of proven corruption.<sup>23</sup> The World



Bank's policy to prevent corruption includes a Sanctions Committee. The Committee has created a list of ineligible firms who are barred from receiving Bank funding in the future.<sup>24</sup> The long list does not include contractors from the Lesotho Highlands project.<sup>25</sup>

The Lesotho Highlands project has some major problems beyond bribery. The project has transformed the small Kingdom in Southern Africa, landlocked by South Africa, to a major water exporter, while the local population is suffering from lack of access to potable water. The project proposed building 5 dams in order to collect and store water in the mountains in Lesotho, primarily for export to South Africa, and funded by the South African government through the World Bank.<sup>26</sup> The World Bank has lent US\$164.8 million to the project.<sup>27</sup> There was no proper evidence that there was an actual need for the water from the project. Instead, critics charged, the water needed in Johannesburg and the surrounding areas could be gained by cutting water losses and increasing efficiency of the current water infrastructure. The World Bank acknowledges that the estimated needs for water in the area were overstated. The second phase of the project should have never started, but went ahead since the developers were already there from the first phase.<sup>28</sup>

### *Excessive profiteering in United Kingdom*

South East Water Ltd is the main SAUR subsidiary in the UK and accounts for 15% of the annual sales of SAUR.<sup>29</sup> Additionally, SAUR holds a majority stake in Saur Water Services Plc, Mid Southern Water Plc, South East Water, Eastbourne Water Plc, Mid-Sussex Water and West Kent Water.<sup>30</sup>

South East Water has a cozy relationship with the Drinking Water Inspectorate (DWI). DWI has the mandate to inspect South East Water and other private utilities to ensure the quality of

the service, but the independence of the DWI is doubtful. South East Water describes their relationship with the DWI as a partnership.

The UK market drew the interest of multinational companies after the Thatcher government liberalized the water sector in the 1980s. In 1988 the 10 regional water companies were sold as 25-year concessions by issuing shares on the stock market. The corporations received government subsidies when the decision was made to write off all debt of the public utilities (approximately US\$8 billion).<sup>31</sup> The profits of the water companies rose by 147% from 1990-1997.<sup>32</sup> The regulatory agency, the Office of the Director General of Water Services (OFWAT), was established only after water utilities were privatized and even after the office was established consumers saw a decade of slack enforcement. However, in 2000, OFWAT began to limit profit levels of the companies and started to publish a list of problematic companies. With stronger regulatory measures, several multinationals are seeking to bail out of the British market. Most recently South East Water has been added to the sales list. The British water companies are entering the market with high debt rates and consumer water bills have been adjusted in order to ensure the corporate profit.<sup>33</sup>

### *No-bid contract in Ivory Coast*

SAUR received the contract to supply water to Abidjan, Ivory Coast in an exclusive "no open bidding" business deal in the late 1950s. The contract was renewed in 1987 for an additional 20 years. The lease contract does not commit SAUR to making investments in the utility, reducing risk exposure and providing greater profits. However, some of the benefits SAUR enjoyed during the first contract period were eliminated with the renewal of the contract. For example, consumer water rates are now increasing more slowly than during the pre-1987 period.<sup>34</sup>

SAUR controls 47% of the utility while 45% is owned by local business and the remainder belongs to the state employees.<sup>35</sup> According to reports, the water quality is high for the region and unaccounted for water has dropped to 15% reported in 1987.<sup>36</sup> However, there is no independent regulatory organization in Côte d'Ivoire that could support the grievances of the consumers.<sup>37</sup> Instead, water rates have soared to prices that are unaffordable for even middle class families. Middle class consumers cannot afford to water their gardens and now create desert-like front yards in working and middle class suburbs. Families cannot afford to wash their clothes in their homes, but instead take their laundry to the local streams and rivers. Families fortunate enough to have indoor plumbing, resort to a few flushes of their toilets a week in order to save the high-priced resource. Instead of a tool for development and improved public health, water has become a very expensive commodity.

### *Tensions in Senegal, West African*

SAUR provides water services for the entire country of Senegal through the subsidiary Senegalaise des Eaux. The corporation has provided technical assistance since 1971 when the public enterprise Societe Nationale d'Exploitation des Eaux du Senegal (SONES) was formed. But the technical advice did not improve the water utility and the government decided to contract with a private sector operator. In 1996, SAUR won the 10-year contract to operate and maintain Senegal's water services and created the subsidiary Senegalaise des Eaux. The government, through SONES, remains responsible for regulation and all new infrastructure investment. In poor communities, the utility provides public standpipes.

The World Bank supported the water utility with a loan of US\$96 million in 2001. The loan aims to increase cost-recovery and specifically stipulates the need to charge for the cost of

water supply even to poor households.<sup>38</sup> Such policies are known to price water out of the reach of low-income populations and increase rates of water-borne illnesses as families are driven to use untreated sources of water.

The contract with SAUR is testing the concept of a public/private partnership. Tensions are increasing between the public employees of SONES, and the SAUR subsidiary company, Senegalaise des Eaux. SONES staff is supposed to regulate the private utility, but they get paid far less than the employees in the private utility, Senegalaise des Eaux. Furthermore, tensions arise annually when the consumer tariff adjustments are decided.<sup>39</sup>

### *Profit before people in South Africa*

South Africans embarked on their first adventure with a private operator in 1999 when the Dolphin Coast Local Council signed a contract with SAUR-controlled Siza Water Company. The contract was awarded in competition with two other French multinationals: Vivendi and Suez. The private concession would provide new investments in water infrastructure for approximately US\$40 million (R200 million in 1997) over 30 years. 56,000 people are provided with water by the Siza Water Company. SAUR holds 58% of Siza water, Metropolitan Life Ltd. holds 23%, Women's Development Bank Investment Holdings holds 5%, the Investment Progress Group Holdings (IPG) holds 5%, and NANO Investment Holdings (Pty) Ltd holds the remaining 5%.<sup>40</sup> The Council would receive R2.6 million annually for the first 17 years of the lease of the assets.<sup>41</sup> The total value of the project was an estimated R386 million.<sup>42</sup> The contract signed in 1999 states



that water rates would not increase in the first 5 years of the contract.<sup>43</sup>

The private water concession in the Dolphin Coast (and others formed later in South Africa) have met fierce resistance from local unions, in particular the South African Municipal Workers Union (SAMWU). SAMWU and the South African Local Government Association signed an agreement in December 1998 to use private corporations only as a last resort if there was no “*public sector provider willing or able to provide the service.*”<sup>44</sup> Private sector operation undermines the Water Services Act and the Constitutional obligations to provide water to all. With the current lack of economic equality in South Africa, the privatization of water utilities results in a reinstatement of Apartheid-like policies, with huge gaps between water services available to rich and poor, white and black.<sup>45</sup>

In April 2001, Siza Water claimed they were unable to pay the lease fee to the Dolphin Coast Council of R3.6 million. To increase their revenues, the Siza Water Company slapped a 15% increase in water rates on consumers.<sup>46</sup> Siza Water insisted that the company would not be able to continue the relationship and convinced the Dolphin Coast Council to award relief from the terms of the contract. Siza Water claimed that expected development had fallen short of expectations. Lease payments were dropped to a lower level. When the contract was renegotiated and the final bill arrived for consumers they found they were hit with a tariff increase of 37%.<sup>47</sup> During initial contract negotiations, the Council defended the contract by claiming that Siza was bringing foreign investment, but it later appeared that the company was supported by locally-raised public money that was available to the council.<sup>48</sup>

Siza shareholders are expected to break even after 5 years of the 30-year concession, but consumers will have to suffer with 25 years

of high consumer water fees. Siza has enforced fixed charges in townships where people struggle to pay for their food and 2/3 of households earn less than US\$80/month. The consumer water bill in an average household is US\$8 – 10% of the income. As a result, families are unable to keep up with their bills and the service is disconnected. As an additional insult to poor households, the bulk water supplier also restructured as a private company and consumer water rates increased an additional 22.3%.<sup>49</sup>

### *Enforcing French dependency in Poland*

Water supply to the city of Gdansk dates back to the 14<sup>th</sup> century.<sup>50</sup> In an effort to improve efficiency and attract foreign investment for the upgrading needs of the water utility, the city of Gdansk entered a 30-year partnership with SAUR. The contract was awarded in 1992 to serve the 458,000 people in Gdansk. It had some extraordinary stipulations. The president, the secretary and the technical director must be French. SAUR holds 51% of the shares in the company, while the city of Gdansk holds 49%.

SAUR is in charge of operation, maintenance and billing. The rates are decided once a year through negotiation between the city and SAUR.<sup>51</sup>

According to PriceWaterhouseCoopers, the relationship between the private company and the city is quite tense. When the company installed water meters between 1993 and 1995, tariffs rose and water consumption fell. In 1994, the contract was secretly renegotiated and amended again in June 1995.<sup>52</sup> PriceWaterhouseCoopers estimates that “*[t]he lease period of thirty years seems too long for this type of model where the private sector has no responsibility for investment.*”<sup>53</sup>

## *Bribing the French*<sup>54</sup>

SAUR may have evaded prosecution in Lesotho, but in the home country of France the record is bleak. In 1996, Martin Bouygues, then chief executive officer, was arrested for corrupt practices, but released without charges. The former vice-president, Jacques Dupuydauby, was prosecuted and received a prison term. In 1997, Martin Bouygues was placed under investigation for the misuse of company funds. Shortly after this incident Martin Bouygues was removed as chief executive officer and replaced by his brother.

Martin Bouygues was involved in several cases of cartel creation in violation of French law and was fined F148.7 million in 1997 for the violations. However, the corporation reportedly continued the misuse of public funds and came under investigation again in 1998 for “*an agreed system for misappropriation of public funds.*”<sup>55</sup>

## *Other SAUR contracts around the world*

In 1989, SAUR was awarded a 10-year lease for the water utility in Guinea. The tariffs increased faster than planned and families in all income groups found it hard to pay the fees. Industries were also hard hit by the increases. As a result, many households were cut off from water.<sup>56</sup> In Argentina SAUR received its first water concession contract in 1998 in the Mendoza province.<sup>57</sup> The Central African Republic award-

ed a 15-year lease contract to SAUR in 1991 and Mali awarded the corporation a 20-year lease in 2000. In Vietnam, SAUR holds a distribution management contract in Hanoi, signed in 1995 and, in China, SAUR runs the Harbin drinking water treatment plan in a 28-year contract.<sup>58</sup> Canada contributes \$ 5.5-million to SAUR’s annual sales – primarily from water services to 800,000 people – and the firm also operates in the Caribbean.

SAUR is obviously in the game to make a profit, but water is not a commodity to discard if the profit is low. Water is an essential need for all living beings and a common resource that must be protected from corporate gain. It is our common responsibility to provide clean and affordable water to all citizens in the world. By ignoring the needs of ordinary people, SAUR has managed to manipulate local governments and multilateral agencies in order to promote the corporate agenda of increased profits. But the road to success is littered with bribery and market diversions. SAUR has pulled out of markets when the game turned rough.

The push in the late 1990s to gain additional market control has exposed the corporation to harsh criticism. It has uncovered price-gouging practices, and in response, citizens are rising to challenge the corporate control of our common resources. SAUR’s tide of profit making is quickly rolling out to sea.

### **SAUR subsidiaries:**

AGUAS DE MOCAMBIQUE, Mozambique  
 AGUAS DE VALENCIA, Spain  
 AQUATECH - DYNATECH - OPSIS, Canada  
 BRL-E, France  
 CGSP, Guadeloupe  
 CIE, Ivory Coast  
 CIPREL, Ivory Coast  
 CISE ANTILLES, Martinique  
 CISE REUNION, La Réunion  
 COVED, France  
 CTSE SA, Czech Republic  
 ECOVERT GROUP, UK  
 EDM S.A., Ivory Coast  
 ELECTRICIDADE DE MOCAMBIQUE, Mozambique

EMALSA, Spain  
 ELECTRICITE DE MAYOTTE, Mayotte  
 FORMULE GOLF, France  
 FOXTROT INTERNATIONAL LDC, Ivory Coast  
 GESTAGUA, Spain  
 HARBIN SAUR WATER SUPPLY COMPANY Co. Ltd, China  
 HYDRO-ATLAS, Morocco  
 HYDRO-SAHEL, Mali  
 OBRAS SANITARIAS DE MENDOZA, Argentina  
 PIPEWAY LTD, UK  
 ROSSA, Russia  
 SALERNO SISTEMI IDRICI, Italy  
 SAUR CESK- REPUBLIKA, Czech Republic  
 SAUR France

SAUR INTERNATIONAL SA, Zambia  
 SAUR NEPTUN GDANSK, Poland  
 SAUR POLSKA, Poland  
 SAUR RSA (PTY) Ltd, South Africa  
 SAUR SERVICES, UK  
 SAUR UK  
 SAUR UTILITIES, Ireland  
 SAUR WATER SERVICES, UK  
 SENEGALAISE DES EAUX, Senegal  
 SERCANARIAS, Spain  
 SIGESA-CREA, Italy  
 SIZA WATER Company, South Africa  
 SODECI, Ivory Coast  
 SOUTH EAST WATER, UK  
 SMDS, Martinique  
 VALBE, France

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