

Improving water and sanitation governance through citizens' action





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WaterAid's mission is to overcome poverty by enabling the world's poorest people to gain access to safe water, sanitation and hygiene education.

1. Introduction

For some people, the water crisis means having to walk long distances every day to fetch enough drinking water - clean or unclean - just to get by. For others, it means suffering from malnutrition or disease caused by droughts, floods or inadequate sanitation. Many people suffer these hardships due to lack of funds or inadequate knowledge of how to solve local water use and allocation problems.¹

1.1 Access to drinking water

Over the past decade, human access to drinking water has been gradually increasing. Overall water coverage in Nepal is reported to be 82%, which reflects a 9% increase in the five-year period from 2001 to 2006 (NDHS 2001 and NDHS 2006).² This suggests an average growth in water coverage of 1.8% per annum. However, the National Demographic Health Survey reports that the proportion of people who spend over 15 minutes a day fetching water is 34%. This is similar to WaterAid in Nepal's (WAN) estimate done in 2004. WAN contends that water coverage is 48%, if a reasonable water fetching time (15 minutes) is factored into the calculation. However, it cannot be assumed that this 48% have access to safe water. The proportion of people who consume water without household treatment (e.g., boiling) is as low as 15%.³

1.2 Access to sanitation

Access to sanitation is also gradually increasing, but at a lower rate than access to water. Sanitation coverage (latrination) has reached 46% in Nepal. This figure includes shared latrine facilities. The number of households with an individual family latrine stands at 36%.⁴ Latrine sharing is more common in urban settlements than in rural (urban 34% and rural 8%) and is most widespread in slum and squatter dwellings.

1.3 Health risks

In Nepal, diarrhoeal disease and acute respiratory infection cause a great number of deaths in children under the age of five. Although mortality figures for Nepal are not disaggregated by cause, it is estimated that each of these conditions account for about 18% of deaths in this age group. Accounting infant mortality rate as well, the number of deaths under five years age due to diarrhoea related diseases is 10,500 per annum. Diarrhoea is spread by infectious agents (bacteria, viruses, parasites) in the faeces of infected individuals. Acute respiratory infection is spread by infectious agents (bacteria, viruses) in the sputum (saliva) of those infected. Both of these conditions are aggravated by poor environmental sanitation, inadequate personal hygiene and lack of access to clean water.⁵

¹ UNESCO (2006) *United Nations World Water Development Report 2 (WWDR2)*, World Water Assessment Programme, UNESCO, Paris, France

² MoHP (2007) *Nepal Demographic Health Survey 2006*, Ministry of Health and Population, Kathmandu.

³ Ibid 2007

⁴ Ibid 2007

⁵ UNICEF (2006) *State of women and children in Nepal*, UNICEF, Nepal, 2007

1.4 Drinking water and sanitation yield high returns

Investment by governments and communities in drinking water and sanitation can yield high returns, as improved access to water and sanitation has many health benefits. In addition, easy access to water saves time. This translates into higher productivity and greater school attendance, as well as less tangible benefits such as convenience and wellbeing, which can also have an economic impact. If all of this is converted into monetary terms, it is possible to compare the total benefits with the cost of a potential intervention. A recent cost-benefits analysis undertaken by WHO found that achieving the Millennium Development Goals (MDGs) for water and sanitation would bring substantial economic gains: every US \$1 invested would yield an economic return of between US \$3 and US \$34, depending on the region. This would include an average reduction in episodes of diarrhoea of 10% worldwide.⁶

1.5 The need for good governance

The benefits of improved access to water and sanitation are clear. However, a topic for discussion is why problems with water arise in the first place. Is it because there is not enough water, or is there another reason? The UN World Water Development Report (2006)⁷

⁶ *Ibid*

⁷ UNESCO (2006) *United Nations World Water Development Report 2 (WWDR2)*, World Water Assessment Programme, UNESCO, Paris (France)

suggests that there is enough water for everyone. The problem we face today is largely one of governance: sharing the water we have fairly whilst ensuring the sustainability of natural ecosystems. It is a question of managing and distributing the available resources for the maximum and equitable benefit of everyone.

1.6 Citizens' action project

WaterAid Nepal and its partners are supporting initiatives to improve water and sanitation governance through the Citizens' action project and budget tracking. Citizens' action project started in 2004 and now covers eight rural districts (Dhading, Makawanpur, Baglung, Ilam, Puythan, Gulmi, Baitadi and Dang), three municipalities/small towns (Thimi, Bharatpur and Biratnagar) and the Kathmandu Valley. Project activities are designed to make service providers responsive and accountable for providing services in a sustainable and equitable manner. Constructive engagement and bridging the gap between service providers (government and NGOs), donors and the communities that they serve are fundamental to these initiatives.

It is the belief that the ultimate responsibility lies with the government to ensure the provision of water and sanitation services to people who need them. Civil society's role is to effectively realise these services and to raise its voice when appropriate services are lacking. Citizens' action continues to exert pressure, through advocacy and lobbying, to bring about good governance in terms of both programming and financing.

2. Moving forward on water and sanitation

The past two decades have seen a number of efforts by government and civil society to accelerate the coverage and quality of basic water and sanitation facilities in Nepal. However, sector players, including civil society, have paid less attention to the actual governance of water and sanitation services. As a result, a number of outstanding issues are yet to be adequately addressed by all major sector players.

2.1 Water and sanitation coverage and sustainability monitoring

2.1.1 Government figures show a high coverage of water and sanitation in Nepal. However, these figures are skewed due to the duplication of projects, resulting in the over-reporting of beneficiaries. The sustainability of projects is also an issue and there is a lack of accountability when a project fails. To address this, WaterAid Nepal supported the Federation of Water and Sanitation Users Nepal (FEDWASUN) in the monitoring of water points in the districts of Baitadi, Nawalparasi, Kavre, Ilam and Dhading. The monitoring was done by the users themselves, rather than a consultant, and revealed that out of 9,157 water points 1,482 (16%) were not functioning.⁸

2.1.2 In 2004, WaterAid Nepal conceptualised a Citizens' action project. It supports the

distribution of the findings of the monitoring conducted by FEDWASUN to a larger audience and encourages constructive dialogue between communities, service providers and planners at the district level. Once accurate information is distributed throughout the districts, national advocacy meetings are held with water and sanitation sector stakeholders to sensitise the stakeholders to the importance of accountability and other issues.

2.1.3 An example of the sustainability monitoring conducted by FEDWASUN is provided in Kumpur VDC, Dhading. Two water projects were constructed in Kumpur a decade ago by the Water and Sanitation Division, Dhading. The projects failed to supply water to the target beneficiaries because the water intake was constructed below the settlement. FEDWASUN brought this issue to the attention of the district stakeholders, who initially refused to accept the claim. However, after a large public pressure, they agreed to review the project and a separate budget was allocated for its rehabilitation.

⁸ FEDWASUN (2006) *Case Study of Water and Sanitation in Six Districts*, Unpublished internal document.

2.1.4 Under its Citizens' action project, WAN will continue to support its partner organisations in monitoring sustainability. WAN encourages its advocacy partners to join joint monitoring committees at the district level. FEDWASUN, Dhading branch, has been officially nominated as a member of the Joint Monitoring Committee of Dhading, which was established under the District Development Committee (DDC). This is to be encouraged in other districts.

2.2 Right to information

2.2.1 The right to access information is now guaranteed by the new Right to Information Act (2005). Previously, the right to access information was limited to policy documents and was accessible only by media centres (i.e., journalists and publishing houses). Development organisations were not legally bound to provide information to the public. Policy makers, programme implementers and donors could easily avoid providing information. A breakthrough was made by this new Act, which explicitly states that every citizen, whether in a group or as an individual, has the right to demand information from any organisation, irrespective of whether it is government or non-government run. If the responsible party fails to provide the requested information within 15 days, a legal penalty is imposed. Although this Act is a significant step forward, it is yet to be put into practice.

2.2.2 A universal model for ensuring the right to access information may not be appropriate in Nepal due to the local

context. However, recognising cultural diversities, literacy levels and the complexity of project design, WAN has drawn up three different models to ensure access to information - one for rural districts, one for municipalities/ small towns, and another for Kathmandu Valley.

2.2.3 Under the rural model, the FEDWASUN facilitates communities to debate with stakeholders on the right to information. Under the Right to Information Act stakeholders are now responsible for informing citizens about their ongoing programmes. Under this model, the districts branches of FEDWASUN minute the major action points and issues raised in the meeting.

2.2.4 For municipalities and small towns, the Report Card Tool is being used. At present, the Report Card Tool is being applied in the municipalities of Thimi and Bharatpur. The Report Card Tool brings citizens together in a common forum to discuss the level and quality of water and sanitation services in their respective communities. A lively discussion is then held between service providers and the public. Information is exchanged and common action points are developed. WAN has supported local NGO Lumanti to move forward with such initiatives.

2.2.5 Citizen engagement with the 'Kathmandu Valley Water Supply Reforms and Melamchi Project' has been in place since the start of WAN's Citizens' action project. WAN supported establishment of the NGO Forum for Urban Water and Sanitation (NGOFUWS) in 2002 - a network of professional

organisations working for urban water and sanitation. NGOFUWS acquires information from the government and donors. The Forum also translates documents into Nepali and informs the public about positive and negative aspects of water and sanitation proposals. NGOFUWS then gives feedback to the government and donors. NGOFUWS thus acts as a bridge between citizens and the government/donors.

- 2.2.6 WAN firmly believes that access to information and correct analysis of such information followed by constructive dialogue are a fundamental part of good governance. WAN will, therefore, continue to facilitate communities to exercise their right to information.

2.3 Equitable access to water and sanitation

- 2.3.1 Despite the increase in national water and sanitation coverage, services are not reaching to poor and vulnerable communities. The National Living Standard Survey 2003/04⁹ suggests that rich citizens are eight times more likely to have sanitation facilities than poor (rich 80% and poor 10%). In the case of private water connections, the

rich are 13 times more likely to have a connection than the poor.

- 2.3.2 Data from the 2001 Census, suggests that 42 out of 75 districts have either water or sanitation below the national average, showing inequitable allocation of resources. Furthermore, FEDWASUN, revealed that 15 remote village development committees (VDCs) in Dhading, Baglung and Makawanpur districts have no water and sanitation projects implemented by either the government or NGOs.

- 2.3.3 A study conducted in six districts (Dhading, Baglung, Makawanpur, Ilam, Baitadi and Pyuthan) shows that the majority (more than 50%) of extremely poor people are excluded from sanitation services because they can not afford to make the required project contributions of cash or labour.¹⁰ Similarly, slum/squatter communities in Bharatpur municipality are denied access to services because they do not have legal land certificates.¹¹ This is also the case in Small Town Projects from which poor people are excluded because they cannot afford the proposed cost recovery schemes.¹²

- 2.3.4 Concerted efforts are being made under the Citizens' action project to address these issues and lobby in favour of reducing inequity. Few successes have been achieved and there is still a long way to go. The Nepal Water Supply Corporation - now, Kathmandu Upatyaka Khanepani Limited (Thimi Branch) has agreed to provide water services to the poor in Ward No. 9,

⁹ Central Bureau of Statistics and World Bank (2004) *National Living Standard Survey*, National Planning Commission, Kathmandu.

¹⁰ FEDWASUN (2006) *Case Study of Water and Sanitation in Six Districts*, Unpublished internal document.

¹¹ Lumanti (2006) *Citizens' Action for Good Governance*, Lumanti, Kathmandu.

¹² NGO Forum (2005) *ADB Water Policy Implementation Review in Small Towns Water Supply and Sanitation Sector Project*, NGO Forum, Kathmandu.

Sharadpur, Bharatpur Municipality on the understanding that the Municipality supplies the pipes and the community contributes voluntary labour. A similar arrangement is in place in Ward No. 2, Aanptari. However, in some rural areas no projects for water and sanitation services have been implemented. To address this, a meeting was held with stakeholders (including local bodies, the DWSS and I/NGOs) and it was agreed that funds would be allocated to the VDCs for water and sanitation; however, this has not been put into practise.

- 2.3.5 WAN believes that addressing inequity is ineffective without budget tracking and analysis at the local level. WAN has, therefore, encouraged FEDWASUN to conduct budget and programme analysis. This analysis started from Dhading and has been extended to eight districts and three municipalities.

2.4 Improving transparency

- 2.4.1 The Local Self Governance Act (1999) made important provisions in relation to the transparency of local bodies. Under the act, all local bodies (DDCs, VDCs and Municipalities) are required to make valuable information and documents (such as the district periodic plan, audit reports, report of annual review meeting, annual plans and budget, and documents about decisions) publically available.

Anyone visiting the local bodies office should be given access to this information. Municipalities, DDCs and VDCs are required to conduct annual meetings to review progress at the beginning of each fiscal year. Political parties, journalists, heads of sectoral agencies, NGOs/INGOs, civil society and other stakeholders should be invited to these meetings. The act also requires DDC and municipality offices to display the Citizen Charter at the entrance to their office¹³.

- 2.4.2 Unfortunately, many of these transparency mechanisms are not fully functional, making them difficult for citizens to access. Furthermore, authorities are not responsive to addressing or even hearing public requests. More than 80% of funding for water and sanitation programmes is either used on sector projects run by sector ministries or departments, or is off-budget and, therefore, not coordinated by (or with) the DDC. These off-budget programmes (run by I/NGOs and CBOs) are not bound by the Local Self Governance Rules and Regulations.
- 2.4.3 Despite the abovementioned problems, the level of transparency in programme implementation has been gradually improving in the water and sanitation sector over the past few years. New projects designed within the last five to seven years have been made transparent to users committees in relation to budget size and required operation and maintenance. In a survey of about 9,000 water points, 73% of projects were found to be transparent.¹⁴

¹³ Adhikari, B.P. (2004) *Water Laws in Nepal*, WaterAid Nepal, Kathmandu.

¹⁴ FEDWASUN (2006) *Case Study of Water and Sanitation in Six Districts*, Unpublished internal document.

2.4.4 The Citizens' action project recognises the importance of transparency and considers it an essential element in the provision of sustained services and in the effective participation of stakeholders and communities. Programme transparency is gradually improving, but fiscal decentralisation has yet to be operationalised. In principle, formula based budget allocation has been developed in Nepal, but it is still far from being realised. The programme prefers to see budget allocation formula applied, in order to achieve predictable and transparent budget allocations so that a longer term vision can be achieved at the local level.

2.4.5 Project transparency must be gradually increased so as to prevent organisations from providing only limited information regarding project budgets and operation and maintenance costs. This applies to everything from project site and community selection, to performance reporting. Towards this, Citizens' action project conducts regular and constructive meetings with the public, policy makers and service providers. The project envisages continuing these efforts in the coming years and intends to gradually expand the geographic coverage of the programme.

2.5 Community participation must be equitable

2.5.1 The need for active community participation has been a topic for discussion throughout the development discourse in Nepal. Government policy

documents explicitly state that programmes should be implemented with active community participation. The policies of donors stress the need for community participation. A drinking water and sanitation programme implemented through the Department of Water Supply and Sewerage and supported by the Asian Development Bank was actually named Community Based Water Supply and Sanitation Programme (CBWSSP). Similarly, other projects, including those funded by the World Bank, place emphasis on the need for community participation. The Rural Water Supply and Sanitation Policy goes so far as to suggest that the government should limit its role to that of facilitator, leaving implementation to communities, NGOs and civil society. The question is whether or not the quality and the level of community participation in Nepal is consistent with the aims of policies and programmes, and, if not, what are the barriers to participation?

2.5.2 Community participation is defined differently by various agencies and different donors. The concept of community participation is more often donor driven than defined by the communities themselves. Donor harmonisation at the central and local level is, therefore, necessary to ensure that a standardised approach is applied within local communities.

2.5.3 Defining the word 'community' and agreeing on an acceptable level of participation for different groups, especially gender and disadvantaged groups, is a challenge. A study of 9,000 water points in rural districts showed

that the representation of women on user committees is only 25%, and the number of key positions (chairperson, secretary and executive committee positions) held by women was only 13%. Among the key positions held by women, the post of treasurer was most common because of the belief that women are more sincere in handling money. The representation of marginalised groups, such as the Dalits, on such committees was only 10%.

- 2.5.4 A Report Card Test done in the municipalities of Thimi and Bharatpur tried to assess the level of community participation in project design, monitoring and reporting. Participation levels were judged using a ranking from 1 to 5; 1 being extremely poor participation and 5 being excellent. The participants, in interactive discussions, ranked the level of community participation as 2, which suggests poor community participation.
- 2.5.5 In order to overcome the barriers to poor participation, a Citizens' Watch Forum (a voluntary and informal network of local people) was established in the municipalities of Thimi and Bharatpur. The forum, although still in its embryonic stage, aims to establish a dialogue with service providers at the local level.
- 2.5.6 FEDWASUN is in talks with the government to ensure that they participate in a national and local level dialogue. The government asked

FEDWASUN for input into the preparation of its current Three Year Interim Plan. At the local level, and in some districts, district stakeholders consult with FEDWASUN during project planning and monitoring.

- 2.5.7 While recognising the value of these gains, the Citizens' action project is still in the development stage so needs constant technical and institutional support from all sector players. WAN envisages a programmatic approach that supports locally based initiatives that promote effective community participation all the way from planning through to budgeting, monitoring and reporting.

2.6 Effective fund utilisation

- 2.6.1 In 2004, WaterAid Nepal estimated the annual resource gap needed to meet water and sanitation MDGs at US \$23 million per annum. In 2005, the National Planning Commission (NPC) and UNDP jointly produced a Second Progress Report on the MDGs, which estimated the annual resource gap to be US \$43 million per annum - substantially higher than WAN's estimate.¹⁵ The NPC/UNDP figure incorporates environmental sanitation (WAN's estimate includes only latrinisation) and universal access to drinking water, accounting for the difference.
- 2.6.2 The Government of Nepal, in the fiscal year 2008/09, allocated around NRs.7.7 billion to the water and sanitation budget - more than 46% growth compared to 2007/08. For the

¹⁵ WAN (2004) *The Water and Sanitation Millennium Development Goals in Nepal: What they mean? What will they cost? Can Nepal meet them?*, WaterAid Nepal, Kathmandu.

first time in Nepal, a separate sanitation budget line (NRs. 50, million) was allocated. After the approval of sanitation master plan, more budget on sanitation can be expected.

- 2.6.3 The need for today is sustaining the present growth of financial investment. If this growth trend is sustained and fund effectively utilised Nepal can achieve Millennium Development Goal and also universal access.
- 2.6.4 Over the last five years, local bodies (DDCs, VDCs and Municipalities) have received only a 12% share of the water and sanitation budget. The rest is budgeted and executed at the ministry level. Thus water and sanitation has not been a priority for local bodies, despite public demand for such services. Local and central budgets for water and sanitation must be properly utilised and the sector budget needs to be equitably distributed.
- 2.6.5 Citizens' action will continuously incorporate budget advocacy in order to meet the stated targets. It will inform the public about any discrepancies and needs through the media and other means. The advocacy stems from local level for increased and efficient use of budget funds, to national level for gradually reducing sector funding blockages.

2.7 Accountability and responsiveness

- 2.7.1 In budget speech 2007/8, the Minister for Finance, Mr. Ram Sharan Mahat, said, "We can build a well-developed Nepal if we can transform people's growing awareness and aspirations for their rights into a creative energy and unleash each Nepali's potential to an optimal extent. If we fail to move towards economic development utilising the open moment with enormous potential and pursuing a positive disciplined and all-inclusive attitude and commitment, we will risk falling from the height of freedom, self-respect and political feat that were so hardly won by the sacrifice of the countless martyrs, and end up with despair, dejection and deprivation instead."¹⁶

In budget speech 2008/9, Minister for Finance, Mr. Babu Ram Bhattarai said, "the main thrust of this budget will be to lead the economy towards socialism-oriented national industrial capitalism by eliminating all forms of feudalism and keeping a fine balance between the expectations and interests of different classes and communities." Therefore, it will be perfectly natural for this budget if it cannot meet the demands and expectations of any particular class or political force.¹⁷

- 2.7.2 All government agencies, NGOs and INGOs implementing development projects and programmes at the district level will be accountable to the relevant district development committee. This will be achieved by strengthening the

¹⁶ MoF (2007) *Budget Speech 2007/08*, Ministry of Finance, GoN, Kathmandu.

¹⁷ MoF (2008) *Budget Speech 2008/09*, Ministry of Finance, GoN, Kathmandu.

involvement of local bodies in all phases of development, including the formulation, implementation, monitoring, evaluation and sustenance of district level plans and programmes.¹⁸

2.7.3 Alongside the discrepancy between words and action, policies and practices, there is also a void between responsibility and action. Into this void tumble both good intentions and less well-meaning reasons for the failure to deliver improved water and sanitation services. This void is referred to as the 'accountability gap'.¹⁹

2.7.4 To bridge the accountability gap, local people must develop a fuller understanding of their entitlement to water and sanitation, their current water

and sanitation service situation, and who is responsible for policy and service delivery. Armed with such knowledge, citizens can then enter into direct negotiation in order to change policies and practices and gain their rightful services. It is the intention of the Citizens' action project to amplify citizens' voices in the relevant places.

2.7.5 The experiences have taught us that commitment alone is not enough. Commitment must be translated into real action. For this, civil society needs to be equipped with a better understanding of the political process. Civil societies have a responsibility to exert pressure on concerned organisations to prompt them to act. The ultimate responsibility lies with the government to deliver services and not with the individual, and it is the government that will be held accountable.

¹⁸ WAUK (2005) *Bridging the Gap*, WaterAid UK, London.

¹⁹ *Ibid*



WaterAid's mission is to overcome poverty by enabling the world's poorest people to gain access to safe water, sanitation and hygiene education.

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