



**REPORT ON POLICY GAPS INHIBITING
IMPLEMENTATION OF MORE INTEGRATED
WATER RESOURCE MANAGEMENT BASED
WASH SERVICE DELIVERY**



INTRODUCTION

The Watershed programme is a strategic partnership between the Dutch Ministry of Foreign Affairs and IRC, Simavi, Wetlands International and Akvo. It is expected that over the next 5 years, it will deliver improvements in the governance and management of water, sanitation and hygiene (WASH) as well as water resources management (WRM) services. Among other things, its focus is to strengthen the capacity of national civil society to lobby and advocate (L&A) government and other WASH duty-bearers - towards measurable improvements in the quality and sustainability of WASH services.

IWRM and WASH have been operating at different level all this while leaving between them a gap that happens to have no dead end. This has resulted in various policies for different sector agencies all aiming at solving the same problem. The need for an integration has been identified as it is now very clear that no of these two –IWRM and WASH – can stand alone and succeed considering the fact that there cannot be any hygiene practice if there is no water or if the source is highly polluted and the water cannot be used for its intended purposes.

An in depth discussion with WRC Basin Officers was to identify how their district level plans included linking WASH services delivery with IWRM and climate change adaptation.

Below are the outcomes of the discussions with some the above mentioned personnel. In all 12 areas were identified and some recommendations have been made on each of them.

Principle 1. Clearly allocate and distinguish *roles and responsibilities* for water policymaking, policy implementation, operational management and regulation, and foster co-ordination across these responsible authorities.

To that effect, legal and institutional frameworks should:



a) Specify the allocation of roles and responsibilities, across all levels of government and water-related institutions in regard to water

- Policy-making, especially priority setting and strategic planning;
- Policy implementation especially financing and budgeting, data and information, stakeholder engagement, capacity development and evaluation;
- Operational management, especially service delivery, infrastructure operation and investment; and
- Regulation and enforcement, especially tariff setting, standards, licensing, monitoring and supervision, control and audit, and conflict management;

b) Help identify and address gaps, overlaps and conflicts of interest through effective co-ordination at and across all levels of government.

Principle 2. Manage water at the *appropriate scale(s)* within integrated basin governance systems to reflect local conditions, and foster co-ordination between the different scales.

To that effect, water management practices and tools should:

- a) Respond to long-term environmental, economic and social objectives with a view to making the best use of water resources, through risk prevention and integrated water resources management;
- b) Encourage a sound hydrological cycle management from capture and distribution of freshwater to the release of wastewater and return flows;
- c) Promote adaptive and mitigation strategies, action programs and measures based on clear and coherent mandates, through effective basin management plans that are consistent with national policies and local conditions;



d) Promote multi-level co-operation among users, stakeholders and levels of government for the management of water resources; and,

e) Enhance riparian co-operation on the use of Trans boundary freshwater resources.

Principle 3. Encourage policy coherence through effective *cross-sectoral co-ordination*, especially between policies for water and the environment, health, energy, agriculture, industry, spatial planning and land use through:

a) Encouraging co-ordination mechanisms to facilitate coherent policies across ministries, public agencies and levels of government, including cross-sectoral plans;

b) Fostering co-ordinated management of use, protection and clean-up of water resources, taking into account policies that affect water availability, quality and demand (e.g. agriculture, forestry, mining, energy, fisheries, transportation, recreation, and navigation) as well as risk prevention;

c) Identifying, assessing and addressing the barriers to policy coherence from practices, policies and regulations within and beyond the water sector, using monitoring, reporting and reviews; and

d) Providing incentives and regulations to mitigate conflicts among sectoral strategies, bringing these strategies into line with water management needs and finding solutions that fit with local governance and norms.

Principle 4. Adapt the level of *capacity* of responsible authorities to the complexity of water challenges to be met, and to the set of competencies required to carry out their duties, through:

a) Identifying and addressing capacity gaps to implement integrated water resources management, notably for planning, rule-making, project management, finance, budgeting, data collection and monitoring, risk management and evaluation;



- b) Matching the level of technical, financial and institutional capacity in water governance systems to the nature of problems and needs;
- c) Encouraging adaptive and evolving assignment of competences upon demonstration of capacity, where appropriate;
- d) Promoting hiring of public officials and water professionals that uses merit-based, transparent processes and are independent from political cycles; and
- e) Promoting education and training of water professionals to strengthen the capacity of water institutions as well as stakeholders at large and to foster co-operation and knowledge-sharing.

Principle 5. Produce, update, and share timely, consistent, comparable and policy-relevant water and water-related *data and information*, and use it to guide, assess and improve water policy, through:

- a) Defining requirements for cost-effective and sustainable production and methods for sharing high quality water and water-related data and information, e.g. on the status of water resources, water financing, environmental needs, socio-economic features and institutional mapping;
- b) Fostering effective co-ordination and experience sharing among organizations and agencies producing water-related data between data producers and users, and across levels of government;
- c) Promoting engagement with stakeholders in the design and implementation of water information systems, and providing guidance on how such information should be shared to foster transparency, trust and comparability (e.g. data banks, reports, maps, diagrams, observatories);
- d) Encouraging the design of harmonised and consistent information systems at the basin scale, including in the case of trans boundary water, to foster mutual confidence, reciprocity and comparability within the framework of agreements between riparian countries; and



e) Reviewing data collection, use, sharing and dissemination to identify overlaps and synergies and track unnecessary data overload.

Principle 6. Ensure that governance arrangements help mobilize water finance and allocate *financial resources in an efficient, transparent and timely manner*, through:

a) Promoting governance arrangements that help water institutions across levels of government raise the necessary revenues to meet their mandates, building through for example principles such as the polluter-pays and user-pays principles, as well as payment for environmental services;

b) Carrying out sector reviews and strategic financial planning to assess short, medium and long term investment and operational needs and take measures to help ensure availability and sustainability of such finance;

c) Adopting sound and transparent practices for budgeting and accounting that provide a clear picture of water activities and any associated contingent liabilities including infrastructure investment, and aligning multi-annual strategic plans to annual budgets and medium-term priorities of governments;

d) Adopting mechanisms that foster the efficient and transparent allocation of water-related public funds (e.g. through social contracts, scorecards, and audits); and

e) Minimizing unnecessary administrative burdens related to public expenditure while preserving fiduciary and fiscal safeguards.

Principle 7. Ensure that sound water management *regulatory frameworks* are effectively implemented and enforced in pursuit of the public interest, through:

a) Ensuring a comprehensive, coherent and predictable legal and institutional framework that set rules, standards and guidelines for achieving water policy outcomes, and encourage integrated long-term planning;



- b) Ensuring that key regulatory functions are discharged across public agencies, dedicated institutions and levels of government and that regulatory authorities are endowed with necessary resources;
- c) Ensuring that rules, institutions and processes are well-co-ordinated, transparent, non-discriminatory, participative and easy to understand and enforce;
- d) Encouraging the use of regulatory tools (evaluation and consultation mechanisms) to foster the quality of regulatory processes and make the results accessible to the public, where appropriate;
- e) Setting clear, transparent and proportionate enforcement rules, procedures, incentives and tools (including rewards and penalties) to promote compliance and achieve regulatory objectives in a cost-effective way; and
- f) Ensuring that effective remedies can be claimed through non-discriminatory access to justice, considering the range of options as appropriate.

Principle 8. Promote the adoption and implementation of *innovative water governance practices* across responsible authorities, levels of government and relevant stakeholders, through:

- a) Encouraging experimentation and pilot-testing on water governance, drawing lessons from success and failures, and scaling up replicable practices;
- b) Promoting social learning to facilitate dialogue and consensus-building, for example through networking platforms, social media, Information and Communication Technologies (ICTs) and user-friendly interface (e.g. digital maps, big data, smart data and open data) and other means;
- c) Promoting innovative ways to co-operate, to pool resources and capacity, to build synergies across sectors and search for efficiency gains, notably through metropolitan governance, inter-municipal collaboration, urban-rural partnerships, and performance-based contracts; and



d) Promoting a strong science-policy interface to contribute to better water governance and bridge the divide between scientific findings and water governance practices.

Principle 9. Mainstream *integrity and transparency* practices across water policies, water institutions and water governance frameworks for greater accountability and trust in decision-making, through:

a) Promoting legal and institutional frameworks that hold decision-makers and stakeholders accountable, such as the right to information and independent authorities to investigate water related issues and law enforcement;

b) Encouraging norms, codes of conduct or charters on integrity and transparency in national or local contexts and monitoring their implementation;

c) Establishing clear accountability and control mechanisms for transparent water policy making and implementation;

d) Diagnosing and mapping on a regular basis existing or potential drivers of corruption and risks in all water-related institutions at different levels, including for public procurement; and

e) Adopting multi-stakeholder approaches, dedicated tools and action plans to identify and address water integrity and transparency gaps (e.g. integrity scans/pacts, risk analysis, social witnesses)

Principle 10. *Promote stakeholder engagement* for informed and outcome-oriented contributions to water policy design and implementation, through:

a) Mapping public, private and non-profit actors who have a stake in the outcome or who are likely to be affected by water-related decisions, as well as their responsibilities, core motivations and interactions;



- b) Paying special attention to under-represented categories (youth, the poor, women, indigenous people, domestic users) newcomers (property developers, institutional investors) and other water-related stakeholders and institutions;
- c) Defining the line of decision-making and the expected use of stakeholders' inputs, and mitigating power imbalances and risks of consultation capture from over-represented or overly vocal categories, as well as between expert and non-expert voices;
- d) Encouraging capacity development of relevant stakeholders as well as accurate, timely and reliable information, as appropriate;
- e) Assessing the process and outcomes of stakeholder engagement to learn, adjust and improve accordingly, including the evaluation of costs and benefits of engagement processes;
- f) Promoting legal and institutional frameworks, organizational structures and responsible authorities that are conducive to stakeholder engagement, taking account of local circumstances, needs and capacities; and
- g) Customizing the type and level of stakeholder engagement to the needs and keeping the process flexible to adapt to changing circumstances.

Principle 11. Encourage water governance frameworks that help manage *trade-offs* across water users, rural and urban areas, and generations, through:

- a) Promoting non-discriminatory participation in decision-making across people, especially vulnerable groups and people living in remote areas;
- b) Empowering local authorities and users to identify and address barriers to access quality water services and resources and promoting rural-urban co-operation including through greater partnership between water institutions and spatial planners;



- c) Promoting public debate on the risks and costs associated with too much, too little or too polluted water to raise awareness, build consensus on who pays for what, and contribute to better affordability and sustainability now and in the future; and
- d) Encouraging evidence-based assessment of the distributional consequences of water-related policies on citizens, water users and places to guide decision-making.

Principle 12. Promote regular *monitoring and evaluation* of water policy and governance where appropriate, share the results with the public and make adjustments when needed, through:

- a) Promoting dedicated institutions for monitoring and evaluation that are endowed with sufficient capacity, appropriate degree of independence and resources as well as the necessary instruments;
- b) Developing reliable monitoring and reporting mechanisms to effectively guide decision-making;
- c) Assessing to what extent water policy fulfils the intended outcomes and water governance frameworks are fit for purpose; and
- d) Encouraging timely and transparent sharing of the evaluation results and adapting strategies as new information become available.