



WORKSHOP ON

**DEVELOPMENT EFFECTIVENESS IN PRACTICE:
APPLYING THE PARIS DECLARATION TO ADVANCING
GENDER EQUALITY, ENVIRONMENTAL SUSTAINABILITY AND HUMAN RIGHTS**

DUBLIN, IRELAND

26-27 APRIL 2007

Session A
Ownership and Alignment

**Ownership and alignment enhancing crosscutting issues in the water sector: The
case of Uganda**

by
Margaret Kakande, Ministry of Finance
and
Engineer Ian Arebahona, Directorate for Water Development

How enhanced ownership and alignment can help advance crosscutting issues at sector level: The case of mainstreaming gender equity, human rights and environmental sustainability in Uganda's water sector

1.0: Ownership and alignment

The Uganda Water sector has achieved ownership and alignment through the grounding of policy and programme operations within the national legal and policy frameworks, as well as into local institutions at both national and local levels.

The Legal Framework

Within the legal framework, the 1995 Constitution stipulates that ‘the state shall protect important natural resources, including land, **water**... on behalf of the people of Uganda’, alludes to protection and preservation of the environment, and prohibits gender based discrimination in all aspects of the country's social, economic and political life. In fulfillment of the constitutional provisions, the national environmental management policy and legal framework have been developed and is supported by various Acts and regulations.

The Policy Framework

On the policy front, the national PRSP recognises that removing constraints caused by cross-cutting issues; including HIV/AIDS, environmental degradation, conflict and displacement, occupational structural problems and gender inequalities are key to achieving poverty eradication goals. Within two of the five pillars, it elaborates on how to improve access to safe water and sanitation in an integrated and sustainable manner.

In recognition that sustainable development necessitates the full participation of both men and women in all economic, political, civil, social and cultural activities, Uganda's National Gender Policy (1997) has institutionalized gender as a key development concept and requires all development agencies to mainstream gender in their programmes and activities.

Within the ambit of the PRSP and the national Gender Policy, the National Water Policy was developed based on principles of equal participation for all and use of integrated approaches to management of water resources.

Institutional Arrangements

At the National Level, Ownership and alignment of the water and sanitation sector programme activities is promoted through two fora at national level: At the political level, the Minister responsible for water and environment is answerable to **Parliament and the Session Committee for Natural Resources** and is assisted by a **Water Policy Committee**. At implementation level, the **Water and Sanitation Sector Working Group (WSSWG)** chaired by Permanent Secretary/Ministry of Water and Environment (MWE) provides policy and technical guidance for sector development in the country; approves all sector programmes, work-plans and budgets. It comprises representatives from Government; Development Partners and Non-Governmental Organisations. A Sector Wide Approach to Planning (SWAP) is a mechanism whereby government and development partners support a single policy and expenditure programme which ***is under government leadership and follows a common*** approach in financing, planning, monitoring, evaluation and reporting. A Water Sector Performance Measurement Framework was agreed to in 2003 to facilitate the process.

The key institutional roles and responsibilities are clearly spelt out to minimize duplication of effort. Alignment between sectors has been enhanced in some areas that suffered coordination challenges through **Memorandum of Understanding**. For example, an MoU was signed between the Ministries of Water and Environment and those of Health; and Education and Sports on sanitation; and another with the Ministry of Agriculture, Animal Industry and Fisheries on water for production that is to be provided by the former to the latter's beneficiaries.

Development Partners are also aligned to the processes and programmes. Prior to 2003, donors each supported their own projects between which, there was little interaction. The majority of the sector's human resources were attached as counterpart staff to the projects monitoring. Following the adoption of a Sector Wide Approach there has been a move to strengthen the long term core functions of the Directorate of Water Development (DWD) and its sector partners. As the national sector framework has become stronger, assistance from Development Partners has become better aligned which has also provided opportunities for increased harmonization. In 2003 a Joint Partnership Fund (JPF) was established. Initially this was conceived as a mechanism for harmonizing Danish and Swedish support to the sector, but has since developed into a broader instrument that supports coordination of and between Development Partners, as well as providing a single channel for supporting capacity development.. Dialogue between Development Partners and the sector was greatly facilitated by the sector coordination mechanisms e.g. the SWAp consultative process, the WSSWG, Joint Sector Reviews etc. Donor harmonisation has been enhanced by use of donor Crosscutting Issues sector groups.

At the Local Government Level, ownership and alignment of the water and sanitation sector programme activities is promoted through **District Water and Sanitation Coordination Committees** comprised of administrative and political leaders, technocrats and NGO/CBO representatives. These Committees have been established in most Districts but are not always active. **Communities** are responsible for demanding for, planning, operating and maintaining WSS facilities. A Water User Committee (WUC) is established at each water point but follow-up is often insufficient and many WUCs only become active when there is a breakdown of technical infrastructure. The situation is particularly challenging in post conflict areas where the shift from emergency and relief operations to implementing the sector strategies and policies is still underway.

2.0 Enhancing Crosscutting Issues

The gender equity and environmental sustainability are explicitly provided for in the overall policy objectives of the government for the water and sanitation sector.

Reflection of crosscutting Issues in the Budget: The government is in the process of institutionalizing gender and equity budgeting and this encompasses the crosscutting issues. The result for the water and sanitation sector has been the increased use of disaggregated data.

Gender Equity: A Water Sector Gender Strategy was developed and it is advocating for enhancing women's participation. One then ponders whether *Gender Equity Policy for the sector a reality or Rhetoric?* The answer lies in the achievements so far:

- The Directorate for Water Development has beefed up staffing for mainstreaming crosscutting issues. However, the water sector as a whole still suffers from inadequate representation of women in decision making positions in its staffing at all levels.
- Among the 10 important golden indicators of the sector performance measurement framework, a gender indicator has been incorporated to measure and promote the participation of women as: *"% of water user committees/water boards in which at least one woman holds a key position"*

- Gender has been institutionalised in Manuals, Guides & Tools used in the community mobilisation, planning, implementation, operation, maintenance and monitoring of water and sanitation programme activities.
- Women who had served on key positions of the water and sanitation user committees felt empowered and were confident enough to stand for political posts in their communities. The Water Supply and Sanitation Board of the town of Kisoro, which was rated as best performing in 2006, is chaired by a woman.
- The government considers gender in the urban water supply and sanitation sub-sector in design, construction and Operation and Maintenance. However, urban and piped water supplies are often still implemented following an engineering dominated approach, with little room for participatory, gender sensitive planning processes.
- The sector's pro-poor strategy in place includes gender aspects as women are often among the most vulnerable groups of society.

Environmental Mainstreaming: The National Environment Policy is in place.

- Environment Impact Assessments are done for all major urban water and sewerage projects. However, EIAs are still often perceived rather as a bureaucratic burden, to meet legal requirements, than a chance to investigate possible risks and prevent damage or conflicts.
- The districts that are implementing piped water systems especially in the technologies of Gravity Flow Schemes have prepared reports on EIA to show how they address conservation and preservation of the environment.
- An Implementation Manual has been prepared for the districts to guide them in the implementation of water activities. It provides Environment Impact Assessment water sector specific concerns that the implementing district must put into consideration before, during and after construction of the water sources; as well as a monitoring format.
- Environmental Monitoring Templates for Rural Water Supply and Sanitation are used to assist stakeholders monitor environmental and operation and maintenance issues of water points. This has created environmental awareness among the community/villagers and prevention of further pollution.
- All wastewater permit holders are required to carry out self-monitoring of their effluents and submit the data to Water Resources Management Department (WRMD) on quarterly basis.
- For water abstraction a permit is also required but many applicants, including government authorities (DWD), do not request a permit.
- Water resources management is not yet adequately addressed at the decentralised (Local Government or catchment) levels.
- Water resources management is a crosscutting endeavor since it requires dialogue with all parties involved in using and polluting the water resources (agriculture, water providers, fisheries, industries, etc).

Mainstreaming Human Rights has been effected through efforts to address equity issues as noted under the gender and equity budgeting initiative. The water sector is actively engaged in assuring access to safe water for all (as a defacto human right). The institutional framework where decision-making permeates to the community level, has encouraged participation in the provision of water and sanitation services. On the other hand, according to national water policies, water users are required to pay for the services provided and private sector involvement is encouraged. In this context the affordability of water remains a challenging issue: The right to access water needs to be reconciled, through an appropriate regulatory framework, with the

requirement to ensure the economic viability and sustainable operation and maintenance of water supply facilities.

3.0 Challenges faced and Lessons Learnt

- Mainstreaming crosscutting issues is usually a complex exercise while many government institutions suffer capacity constraints. There is a dire need to invest in capacity building initiatives in all mainstreaming processes at all levels.
- In the past the various projects had been developing their own, sometimes very well elaborated, approaches regarding crosscutting issues. It is challenging to identify and preserve best practices when the mode of implementation is changing, in particular in the case of decentralised implementation through Local Governments
- Effective gender mainstreaming requires much more than strategies. Other necessary conditions that have to be put in place include adequate financial resources for capacity building, as well as political will and support.
- Stronger involvement of groups specifically addressing gender issues, such as Uganda Women's Network (UWONET) or the Donor Gender Group, is desirable for voicing concerns regarding women's rights, gender equality and women's empowerment.
- Involvement of women in the water and sanitation sector also has to address the socio-cultural factors that may be impediments. For example, illiteracy; time poverty; cultural beliefs; and the control over them by husbands who must give permission for such involvement. Those barriers reflect unequal gender relations and require the will to change the current asymmetrical gender order.
- Traditionally water supply and sanitation issues are women's responsibility. As soon as water supply services are being improved with technical assets to be managed and fees to be collected men start to play a decision maker role. Women tend to be left with labour intensive tasks while decision making tasks remain with men.
- Mainstreaming crosscutting issues requires adequate disaggregated data that can clearly show the inequalities. This type of data at all levels is usually lacking. Countries must invest in the generation of reliable gender disaggregated data (GDD) at the various institutional levels.
- In addition to generating GDD, a more comprehensive Monitoring and Evaluation system that generates data and information on gender and environmental sustainability with respect to access to water sources, control of benefits, and functionality of Water and Sanitation Committees at three levels (community, sub-county/district and national level) needs to be established.
- Effective community participation focusing on demand for services is difficult to ensure if the community contributions to either the capital and/or the operation and maintenance costs are meagre. This is a big challenge when pro-poor concerns are taken into consideration. There is need to find innovative mechanisms that can ensure effective demand of poor communities for water and sanitation services.
- Involvement of the private sector in the provision of water and sanitation services that are "human rights" is tricky when the former are bent on maximising profits. There is need to have mechanisms of fostering increased private sector participation in the sector that benefits both these investors as well as the communities, particularly the poor, through a pro-poor regulatory framework.
- The alignment of operations in the sector that promotes the budget support mechanism for development partners raises concerns for the Civil Society who have to be funded through government. How effectively will the CSOs advocate for the marginalized and monitor as well as evaluate government activities in the sector? For example,

- autonomous women's organisations with support from Northern NGOs could play an important role.
- Conducting EIAs for small water technologies is too expensive but mainstreaming of environmental issues needs to be ensured. It is essential to tailor EIA requirements according to the scope and type of projects in order to prevent a too bureaucratic character of EIA procedures.

4.0 Conclusion for the way forward:

The harmonized approaches agreed upon between donors and government of Uganda in the framework of the SWAP led to a well established national sector framework. Therefore adequate policies and strategies to consider CCIs are in place. However, implementation and enforcement of policies related to CCIs remain a challenge. The increased shift of donors towards harmonized approaches and alignment with government procedures implies a considerable potential for joint monitoring and implementation and enforcement of CCIs at all sector levels (community level to national level).