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A case for local-level participation in Kenya's water sector

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Water sector constraints in Kenya

Water sector reforms (2002 onwards) resulted in tangible gains in water service delivery, however, more needs to be done

Stunted sectoral growth: 46% - 58% increment in water access levels between 2000 and 2018 despite water sector reforms

Missed global & national targets: missed the MDG target of doubling the population with access to clean drinking water by 2015; no guarantee of meeting the SDG 6 water for all target if the sector framework remains the same.

Persisting classical challenges: Reports and studies indicate that design flaws, non-revenue water, difficulties in O&M, inadequate financing, governance, water quality, integrity issues, higher prioritization of urban service delivery and the rich – classical challenges, are still existent and being experienced in the sector.

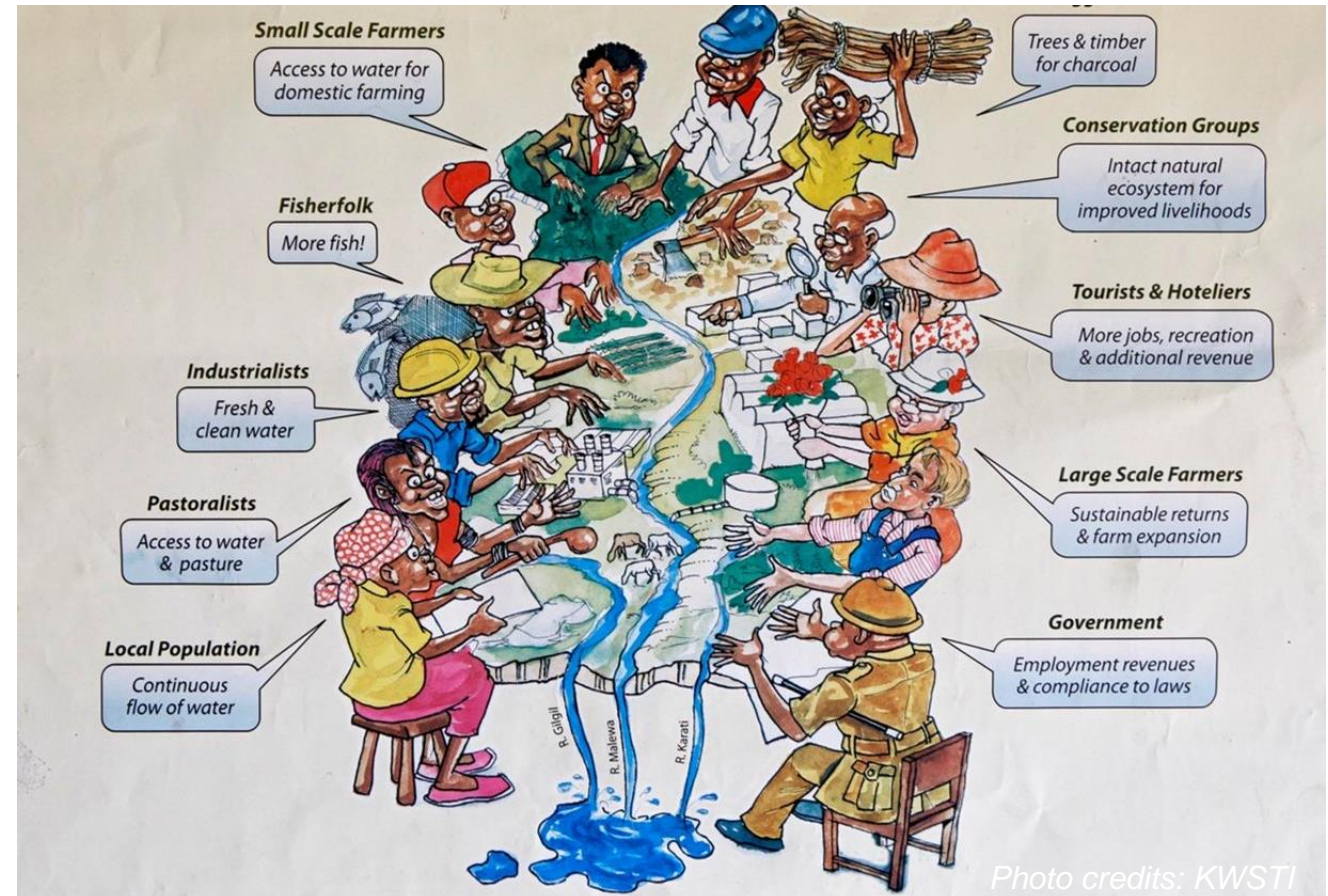


Better implementation of local-level participation mechanisms will accelerate growth in water services delivery in Kenya

What is participation?

Participation in IWRM context as defined during the 1992 Dublin International Conference on Water and Environment entails;

- **Participation of beneficiaries (water users) and the public, with involvement of women**
- **Awareness raising of importance of water among policy-makers and the general public**
- **Public consultation and decisions at the lowest appropriate level in order to bring decision making as close as possible to those affected**



Further definition

Global Water Partnership (2000) points out on the above definitions that;

- Real participation only takes place when stakeholders are part of the decision - making process
- Participation is more than consultation - stakeholders at all levels of the social structure have an impact on decisions at different levels of water management, not to legitimize decisions already made
- A participatory approach is the only means for achieving long-lasting consensus and common agreement, with each party agreeing to trade-offs.
- Governments at national, regional and local levels have the responsibility for making participation possible.

Participation for sustainable water services

- The participatory approach, is a pivotal and widely accepted concept in sustainable water services
- It is, its emergence and prominence largely due to international discourse and adoption during;
 - i. **UN Water Conference, Mar de Plata, 1977** - the spotlight was on community – community participation, community management, community financing – and away from national and local government structures. Implemented during the International Drinking Water Supply and Sanitation Decade (1981-1990)
 - ii. **International Conference on Water and the Environment (ICWE), Dublin Ireland, 1992** - Participatory Approach determined as second guiding principle for IWRM following 'large and diversified experience gained among all countries since the UN Water Conference, Mar del Plata, 1977'
- In **Kenya**, wide reaching participatory mechanisms were adopted into the Water Act 2002 and subsequent Water Act 2016 following the water sector reforms process that largely adopted IWRM

Perceived gaps in local-level participation

Kenya water services context

1. Sense of responsibility

THE EVOLUTION OF COMMUNITY PARTICIPATION IN KENYA

Precolonial era	➤ tribal leaders as decision leaders
Colonial era	➤ negligible power to local communities
Independence era (1963 – 1980s)	➤ perception of government as provider and manager of water services
1981-1990	➤ re-introduction of community participation in communal water projects development– govt & donors playing major role
Water Sector Reforms Period (2002-)	➤ Private sector and community involvement instituted in Water Act, 2002 through creation of Water Resources Users Associations (WRUAs) and Water Action Groups (WAGs)
Adaptation to new Constitution 2010	➤ Basin Water Resources Committees (BWRCs) and WRUAs created in Water Act 2016; strong emphasis of Public Participation in new Constitution of Kenya 2010.

- Colonialist & nationalist government took formerly individual & community sense of responsibility for shared resources to the government (Inga-Mata et.al, 2016; Huggins, 2011)
- Thought of water as a diminishing resource, and economic good yet to be fully integrated, affecting tariff system (Rampa, 2011), and compliance, especially in rural areas.

2. Modern Concepts

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- The formal water laws e.g. BWRCs, WRUAs and other public participation mechanisms, though seen as progressive and compliant to IWRM principles, are new and most of the time not congruent with the customary traditional methods of water management (Rampa, 2011).
- People on customary land for example cannot be issued with a permit, its therefore hard to enforce such regulations (Rampa, 2011)
- Historically, the dominant trends in universalization of basic water services were characterized by elitism, lack of participation, paternalism, and often authoritarianism, except in the countries of the Nordic Europe (Castro, 2012)
- Re-orientation to the modern outfits of community participation is therefore taking long
- Cleaver (2002) promotes 'Institutional Bricolage' - borrowing or reconstruction of mechanisms for collective action and resource management from multiple existing sources e.g. a mix of traditional and modern institutions

3. Overall organizational capacity

1. **Voluntary participation:** limited windows to government support; and limited available funding to support community participation. Being lower middle income economy, the average citizen hardly affords to volunteer. Repercussions on youth participation, they lack incentive to participate.
2. **Limited awareness:** low literacy levels and technical skills to participate in decision making process in water management. Awareness raising mechanisms, the government's role underdeveloped.
3. **Organizational capacity:** Few communities have put in place management and administrative processes to effectively mobilize and coordinate their participation.
4. **Integrity:** "tribalism", "corruption" and nepotism" are "rampant" and "endemic" in all sectors, communities are not spared

Conclusion

- Government efforts to deliver the right to water as enshrined in the constitution of Kenya will not be achieved in the near future
- The community can leverage government's effort, both in supporting water services and in water resources management.
- Existing legislation on participation, that include private sector and community participation, and already existing initiatives are a right first step, and in line with IWRM.
- The local level participation structures are however weak sense of responsibility, modern concepts and organizational capacity need to be checked
- The government can play a role in strengthening local level participation through policy and incentives, and not be passive or punitive.