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AND RESILIENT WASH SERVICES****Equity and inclusion in WASH in Nepal: policy and practice***K. Adhikari, D. R. Bishwakarma & T. Ahmad (Nepal)***PAPER 2873**

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*The inclusive governance in Nepal's drinking water and sanitation sector is a recent phenomenon though several sector policies, plans and other framework had promoted gender, inclusion and community's leadership. The engagement of local level Water Users' and Sanitation Committees is an exclusive example of decentralized arrangement of community management in WASH. These national instruments had enabled inclusion of women and people from disadvantaged communities in the committees and advocated for equity in investment and service delivery. In the past, such policy provisions were poorly complied in the absence of high level political commitments, participatory planning, pragmatic guiding documents and robust monitoring frameworks. The prevailing wider gap in access to drinking water and sanitation services among different groups substantiates this fact. Systematic advocacy, capacity development, enforcement of constitutional and policy provisions, research and studies, review and reflections and knowledge sharing seems crucial to ensure equity and inclusion in the WASH sector.*

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**Introduction**

The Water, Sanitation and Hygiene (WASH) sector in Nepal is led by the Ministry of Water Supply. The Department of Water Supply and Sewerage and its national and sub-national level offices are key government entities to facilitate universal delivery of WASH services across the country. The Ministry of Federal Affairs and Local Development, Ministry of Education, other relevant Government Agencies, UN Agencies, Multilateral Organizations, Bilateral Organizations, International and National Non-Governmental Organizations and Private Sector Agencies are also engaged in promotion of inclusive WASH services. The Water Users' and Sanitation Committee is the lowest unit responsible for management of a rural water supply scheme and serving as utility operator in the scheme. While the representation of women and disadvantaged community in such committee is mandatory, their true influence in decision making process poorly prevails. Therefore, they have 'low voice' and 'low choice' in WASH development.

Apart from traditionally managed rural water supply and sanitation projects, the government has been scaling up important projects like Small Towns Water Supply and Sanitation Projects and Co-financing Water Supply and Sanitation Projects in semi-urban and urban areas giving due focus on community ownership, leadership and fair contribution for project functionality and sustainability. These field level efforts are widely shared in the sector. To give strategic thrust to WASH sector, the government conducted high level Joint Sector Review initiatives in 2011 and 2014. This initiative has created enabled stakeholders' collective efforts for achieving the national target on drinking water and sanitation in equitable and sustainable manner.

The enforcement of the Sanitation and Hygiene Master Plan 2011 is a land mark initiative of the Government for massive and inclusive national level sanitation movement. It has established and operationalized National Sanitation and Hygiene Steering Committee, National Sanitation and Hygiene Coordination Committee and WASH Coordination Committees at Regional, District, Municipality and Rural Municipality levels (GoN, 2011). In the Master Plan, the representation of women in those committees is made necessary. In some places, however, their representation seems symbolic. This needs systematic capacity development intervention and targeted social exposure.

Despite some shortcomings in operational levels, the Master Plan has unified stakeholders' efforts and enabled sanitation campaign to achieve country-wide Open Defecation Free status through enforcement of guiding principles and converging efforts of cross-sector stakeholders (Adhikari, 2017). The government has also promoted locally affordable Water Safety Plan and Point of Use water treatment for maintaining water safety in project and household levels considering vital role of women, local level cross-sector stakeholders and socially disadvantaged groups as well.

By end of 2017, Nepal achieved 93 % and 87% coverage in sanitation and drinking water supply respectively against the national target of universal coverage (DWSS, 2017). Although the pace of Open Defecation Free declaration is high, the country missed the national target within the given time frame of 31<sup>st</sup> December 2017. However, the progress of sanitation has remained astonishingly high. The coverage of sanitation was as low as 43 % before enforcement of the Master Plan in 2011 while it became very close to the national target by now, despite devastating 2015 Earthquake, floods and other socio-political unrest in the country. Thus, reaching the unreached people (who are often poor, marginalized, disadvantaged and physically challenged one) in water supply and sanitation is the critical issue that the government should address with high level of priority, commitments and actions.

While the Government of Nepal has been moving towards mainstreaming Gender Equality and Social Inclusion (GESI) in the development sectors, as enshrined in the Constitution of Nepal 2015, the WASH sector stakeholders including UN agencies have been continuously collaborating with the government for mainstreaming GESI in the WASH sector. Recently, UNICEF provided technical support to the Government to carry out a study on Gender Responsive Budget in WASH as a key tool to trigger the GESI issue. This paper reviews the equity and inclusion related provisions in national WASH policies, plans and other instruments and shares good initiatives as well as shortcomings solicited through program implementation and study finding.

## **Review of policy provisions and other instruments**

In Nepal, GESI sensitive policies were evolved over the last one decade. The concept of Gender Responsive Budgeting came to the attention of policy makers very recently. Nepal has adopted several progressive laws, policies and plans (e.g., 30% women representation in Constituent Assembly under 2013 Election). In the WASH sector the GESI issues were adopted prominently but only in post- Master Plan and Joint Sector Review era. Below sections presents brief account of GESI mainstreaming in WASH sector policies and other instruments.

### **Nepal's commitment in the international forums**

The post-2015 development agenda only becomes truly transformative when the pressing needs and priorities of the most vulnerable and marginalized countries and societies are faithfully accommodated into the broader global agenda and are provided with sufficient resources to achieve them. In the 69<sup>th</sup> Session of the UN General Assembly, Nepal called for a fair, sustainable, equitable, and inclusive development by respecting the diversity of all nations. Nepal's affiliation with 'Sanitation and Water for All' initiative and 'South Asian Conference in Sanitation' has triggered the WASH and sector stakeholders to pronounce the issues of GESI prominently, collectively and widely.

### **Sanitation and Hygiene Master Plan 2011**

The Sanitation and Hygiene Master Plan 2011-2017 institutionalized inclusive coordination mechanism at national and sub-national levels. The Master Plan has promoted universal coverage of sanitation in the designated area including all segments of community and strongly advocated for the Child Friendly, Gender Friendly and Disability Friendly facilities in households and institutions. Importantly, it has promoted inclusion of gender in coordination committees, advocacy campaigns, capacity development packages, awareness raising materials and emphasized the need of support to people especially poor, disadvantaged and remote communities for ensuring their access to toilet. However, WASH facilities for people with various forms of disabilities are still inadequate in public places, schools and offices. The Master Plan is expected to be extended with adaption of learnings in the sector.

### **Joint Sector Review**

Commenced in 2011, the Joint Sector Review is a creative collaborative initiative of the government and the development partners in the WASH Sector. It has contributed to aligning efforts of the government and

stakeholders and harmonizing WASH plans and programs. It has established GESI as one of the key sector themes, among the others and also advocated for mainstreaming it in the overall WASH sector governance (SEIU/MPPW, 2011 and SEIU/MoUD, 2014). Commitments and efforts of JSR 2014 are yet to be reviewed and the conduction of JSR in a periodic manner needs to be continued for revitalizing sector actors through new and innovative learning.

### **Millennium Development Goal Acceleration Frameworks 2012 and 12<sup>th</sup> Periodic Plan 2013**

The Millennium Development Goal Acceleration framework and the period plan recommended a special package for ultra poor, *Dalit* (so called untouchables) and other disadvantaged *Janajatis* (*ethnic groups*) to help them to build toilets ensuring their access to sanitation facilities and accelerate Open Defecation Free campaign (NPC/UNDP, 2012). As a result, the specialized and added inputs to promote nation-wide sanitation campaign and drinking water in arid zones and Terai regions became possible.

### **Guidelines for Mainstreaming Gender Equality and Social Inclusion 2013**

The Guidelines for Mainstreaming Gender Equality and Social Inclusion advocated for a gender and social inclusion responsive approach to improve access to resources and benefits from WASH for women, poor and the disadvantaged people with their meaningful engagement in all steps of the WASH project cycle. The guideline has institutionalized 33% representation of women and inclusion of people representing different social and economic groups in Water Users' and Sanitation Committee. These provisions have largely resulted in practice, for example, one women and one person from the disadvantaged group (woman or man) in the executive positions are largely achieved, desegregated database in terms of gender, caste, ethnicity and geographical location are maintained in the national monitoring information system, users friendly water and sanitation facilities are focused and the water supply and sanitation project procedures have contributed for enhanced knowledge, skills and leadership of women (MoUD, 2013). Despite such noble provisions, challenges are there, especially urban-poor and *Dalits* in Terai regions have inadequate access to safe drinking water and toilet. Now, further fresh commitment is needed from the government and stakeholders to tackle those issues in the new governance context with added accountability, resources and actions and to localize the guidelines.

### **Constitution of Nepal 2015**

The Constitution of Nepal categorically enshrines equal rights for women, the poor, the vulnerable and socially and economically disadvantaged groups. The Constitution has established access to water supply and sanitation facilities as the fundamental right of citizen. Importantly, the Constitution has made the federal, provincial and local governments more accountable to provide equitable, inclusive and sustainable WASH services. Such an exclusive constitutional provision will be materialized in its true sense only when respective governments are empowered institutionally, technically and financially with proper motivation.

### **Nepal WASH Sector Development Plan (2016-2030)**

This plan is fully aligned with Sustainable Development Goals and has recognized exclusion and discrimination (in terms of gender, caste/ethnic groups, religious minority, poverty and remoteness) as one of major bottlenecks in WASH sector governance. The plan emphasizes that GESI should be considered carefully in the programmes to assure service delivery to disadvantaged groups and So, recommends for equitable service provision, inclusive capacity development and mainstreaming of gender and social inclusion aspects. Timely localization of this plan along with massive capacity development of local governments is the needy area for inclusive and coherent WASH sector.

### **Total Sanitation Guidelines 2017**

This was developed from the learnings of the Sanitation and Hygiene Master Plan 2011. It has accorded priority to users' friendly sanitation facilities, menstrual hygiene management, faecal sludge management and environmental sanitation in its operational indicators (MoWSS, 2017). The envisaged impact of this guideline largely relies on its effective alignment with the Sustainable Development Goal framework and increased accountability of Rural Municipalities and Municipalities in the days to come. Unlike ODF declaration, the declaration of total sanitation seems a relatively difficult task because of diverse nature of indicators adopted under total sanitation intervention.

## Gender Responsive Budgeting and Gender Audit

Although the WASH sector stakeholders in Nepal have realized the need of Gender Responsive Budgeting and Gender Audit in these days, those concepts were already adopted by other development sectors and actors. The Gender Responsive Budgeting Formulation and Gender Audit Guidelines 2011 of the Ministry of Federal Affairs and Local Development and Gender Responsive Budgeting Formulation Guidelines 2012 of the Ministry of Finance are the important guiding documents. The Ministry of Finance incorporated some of the GESI related aspects in its development intervention framework which included (a) Gender Equality and Women's Empowerment: a key development objective of the Tenth Plan (2002-2007); (b) gender coding in programs and projects through Mid Term Expenditure Framework; (c) Gender Responsive Budgeting (since 2007/08); (d) Gender Responsive Budgeting methodology; and (e) inclusion of Gender Responsive Budgeting allocation in the budget speech (MoF, 2014). It is important to note that the Gender Audit, held under the Ministry of Federal Affairs and Local Development, has established GESI budgeting and GESI mainstreaming process which have ultimately strengthened local leadership, participatory governance and inclusive development in the following days.

The WASH sector in Nepal visibly lacks Gender Responsive Budgeting and GESI Audit process though GESI issues are pronounced loudly in policy as well as program levels. Lack of internalization of these instruments in the sector obviously indicates that there is visible gap between constitutional/policy commitments and operational aspects. However, establishment of GESI unit at the Ministry of Water Supply, Department of Water Supply and Sewerage and its regional and district level offices; promotion of different trainings on GESI, GESI Action Plan in the Asian Development Bank supported WASH Project and promotion of *Jagaran Karyakram* (Awareness Program) are some of the important initiatives that seem supportive towards equity and inclusion. The ineffectual roles of these GESI units have resulted in lack of awareness among water users regarding the critical need to mainstream GESI issues into WASH projects.

The Ministry of Water Supply has drafted a policy on menstruation hygiene management as an important part of WASH. The government is also advocating user friendly WASH facilities in schools. Importantly, the government has subsidized tap installation charge for poor and local supports are granted to install toilets in their households. Other WASH sector stakeholders are also promoting GESI through WASH project works, advocacy campaigns, capacity development activities and research and development works. There are some women involved as Master Trainer on WASH but not any from socially marginalized communities.

There is a lack of regular and extra budgetary provision to prepare and implement GESI related activities which contributed to the inability of WASH agencies to safeguard the special interests of women, children, poor, vulnerable, and people with disabilities to a considerable extent. In the absence of effective execution of GESI Action Plan and GRB, supervision, monitoring and evaluation formats of WASH projects do not contain GESI issues and consequently the project completion reports too, do not address GESI concerns (CMS/DWSS, 2017a). Realizing such shortcomings, the Community Mobilization Section of the Department of Water Supply and Sewerage has formulated Social Audit and GESI Audit Procedures and conducted a study on Gender Responsive Budgeting of water supply and sanitation projects in Chitwan, Ramechhap and Sindhupalchowk districts with support from UNICEF Nepal. And it is conducting national and sub-national level GESI related capacity development activities as well.

The study on Gender Responsive Budgeting was thus an important initiative towards generating field evidences, and assess the roles of men and women in the decision-making process over benefits and to possibly identify any gap in Gender Responsive Budgeting in the water supply projects. The study adopted Gender Responsive Budgeting analytical methods introduced by the Ministry of Finance which classifies a given programme into one of the three categories based on the degree of its response to the gender issue by using a score of (i) 50 points or above (classified as directly supportive), (ii) 20-49 points (indirectly supportive) and (iii) below 20 points (neutral and gender equality). The field study revealed that the GRB programs are 'indirectly supportive' as the average score was about 32. Chitwan, Ramechhap and Sindhupalchowk scored 43, 27, and 25 respectively (CMS/DWSS, 2017b). This study finding is not representative of overall water supply projects in Nepal. However, this provides a strong knowledge that materialization of the constitutional provision of safe water and sanitation facilities to all Nepalese becomes reality only when stakeholders remain accountable to establish innovative GESI agenda (i.e., Gender Responsive Budgeting and GESI Audit) in the WASH sector.

## Learning and way forward

This paper has identified some gaps in policy and practice regarding GESI mainstreaming in general and representation and access of women, people with disabilities and socially excluded groups to WASH development in particular. The policy provisions conceptualize WASH projects as delivering equal benefits to all and WASH sector agencies are concerned towards GESI in their planning, organizational norms and culture, in budget allocation and monitoring, supervision activities and subsequently sustaining livelihoods. Basically, issues of gender and social inclusion were focused on emphasizing participation of women and marginal social groups in WASH projects. However, their passive representation with no voice resulted in WASH projects having poor community ownership, non-functionality of hardware structures, unsustainable service delivery and feeble governance.

Though drinking water and sanitation is regarded as a female domain, the organizational culture is more technical and there are fewer women involved as staffs of the selected Water Users and Sanitation Committee. It has been found that “muscles and brain” discourses associated with the pipes, reservoirs and plumbing has ‘constructed’ this enterprise “less fitting” to women. In Katunje in Bhaktapur district scheme only one woman is involved as a staff out of 16 and in Sanga of Kavre district all the four employees are men. Hence, staffing pattern as reflected by the organizational culture is not GESI sensitive. There is availability of data in terms of caste/ethnicity, gender, socio-economic categories during the planning phase. However, there is no data regarding vulnerable population and population prone to disasters. During construction phase, wage labor is an important source of income to economically and socially marginalized households. However, women are confined to unskilled labor activities and there still exists disparity in wages between men and women. There is some sort of understanding to utilize local labor but contract papers do not specify GESI related terms and conditions (CMS/DWSS, 2017b).

Though there has been significant progress in WASH there still exists disparity among service users. Social equality, child-gender-disable friendly facilities, menstrual hygiene management, financial feasibility are the key issues in WASH regarding GESI. It is widely recognized that WASH services need to move beyond technical solutions towards more GESI oriented approach that considers existing power relations between men and women and between social groups, and how these influence access to resources and participation in decision-making process (ADB, 2010). The WASH sector policies are committed towards mainstreaming GESI issues but these policy provisions do not necessarily coincide with actual practices on the ground. It is obvious that lack of wider application of GESI consideration as a pre-condition for the approval of the WASH projects, feeble GESI units at organizational levels, absence of earmarked budget for GESI in WASH projects and lack of mandatory and regular practice on GESI Audit are key factors hindering GESI mainstreaming in the WASH sector.

There is limited gender-responsive budgeting, and no GESI budgeting practices to address barriers faced by women, the poor and the excluded. The monitoring systems/processes are inadequate to capture shifts in livelihoods of these groups due to their access to water supply and sanitation facilities and income-generation activities, in their voice due to their engagement with the sector, or in water supply and sanitation policies and social norms impacting the excluded segment of the society (ADB, DFID and WB, 2011). While Nepal's Open Defecation Free movement is moving rapidly and concern towards equitable distribution of safe drinking water is pronounced loudly, the disparity in water and sanitation outcome among different regions, gender, class and ethnicity and other such social categories are still persisting.

Inadequacy of user friendly facilities in schools, government offices and public places, deprivation of socially disadvantaged communities to safe drinking water, lack of public awareness on Menstrual Hygiene Management and perpetuation of dogmas like *Chhaupadi* (abstaining girls and women outside of home during menstruation period) have visibly weakened public health outcomes of the water and sanitation interventions. Mandatory provision of GESI Audit and Gender Responsive Budgeting in WASH sector would therefore be an effective tool to further strengthen gender responsive interventions for the promotion of inclusive and sustainable WASH in Nepal. Such commitments from the government will inevitably help materialize the equitable and inclusive WASH sector governance and align the sector with the Sustainable Development Goal (SDG). In order to institutionalize equity and inclusion in WASH, wider advocacy, timely dissemination of operational documents, systematic capacity development of local governments, enforcement of constitutional and policy provisions, GESI-responsive monitoring, research and documentation and periodic review and reflections seems crucial in new federal governance system of Nepal.

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## Note

Disclaimer: The views expressed in this paper are those of the authors and do not necessarily reflect the views of the government/organizations they work for.

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