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**WATER, SANITATION AND HYGIENE:  
SUSTAINABLE DEVELOPMENT AND MULTISECTORAL APPROACHES**

**Water and sanitation sector reform in Nigeria**

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*Water and Sanitation Sector Reform Programme in Nigeria is being implemented in six focal States with major funding from the European Union. The programme covers all three sub-sectors: urban, small town and rural component. The major focus of the programme is to reform the sector and improve governance which is being achieved through introducing processes, guidelines and mechanism to ensure transparency, accountability and effective participation of all stakeholders. In addition sharing of capital cost for construction of water supply systems by all three tiers of government, communities and development partners/donors is a major thrust of financing mechanism. Selection of communities, LGAs and States is based on demand/performance driven-approach which is ensured through application of well established process for community and LGA selection. The programme has so far managed to develop processes, guidelines and mechanisms which were tested in the implementation of integrated delivery of water supply and sanitation services.*

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**Background**

Nigeria, officially named the Federal Republic of Nigeria, is a federal constitutional republic comprising thirty-six states and one Federal Capital Territory with 774 Local Government Areas (LGAs). LGAs are the lowest tier of Governments (e.g., the three tiers of government are Federal, States and LGAs). The country is located in West Africa bordering with the Republic of Benin in the west, Chad and Cameroon in the east, and Niger in the north. Its coast lies on the Gulf of Guinea, part of the Atlantic Ocean, in the south. Nigeria is the most populous country in Africa with a population of over 140 million. Access to safe water is a major problem for most Nigerians. The 2008 WHO/UNICEF Joint Monitoring Programme for Water Supply and Sanitation (JMP) report suggested a decline in access to improved water supply from 50% to 47% while a marginal increase in access to improved sanitation from 26% to 30% between 1990 and 2006. The MICS3 (2007) however reported a national coverage of improved drinking water coverage of 49.1% with 75.7% for urban areas and 37.4% for rural areas and use of safe excreta disposal facilities nationally at 42.9%, with 70% in urban areas and 31% rural areas. MDG targets for Nigeria are 75% and 70% respectively for drinking water and sanitation. Currently, Nigeria is clearly not on track to meet MDG targets 7B and 7C of halving, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation. One of the major reasons thought to be contributing to decline of access to improved sources is the high rate of non-functionality of water supply facilities mainly due poor O&M culture in Nigeria which is attributed to lack of community participation and ownership of these facilities. In Nigeria, 50% of drinking water facilities are estimated to be non-functional.

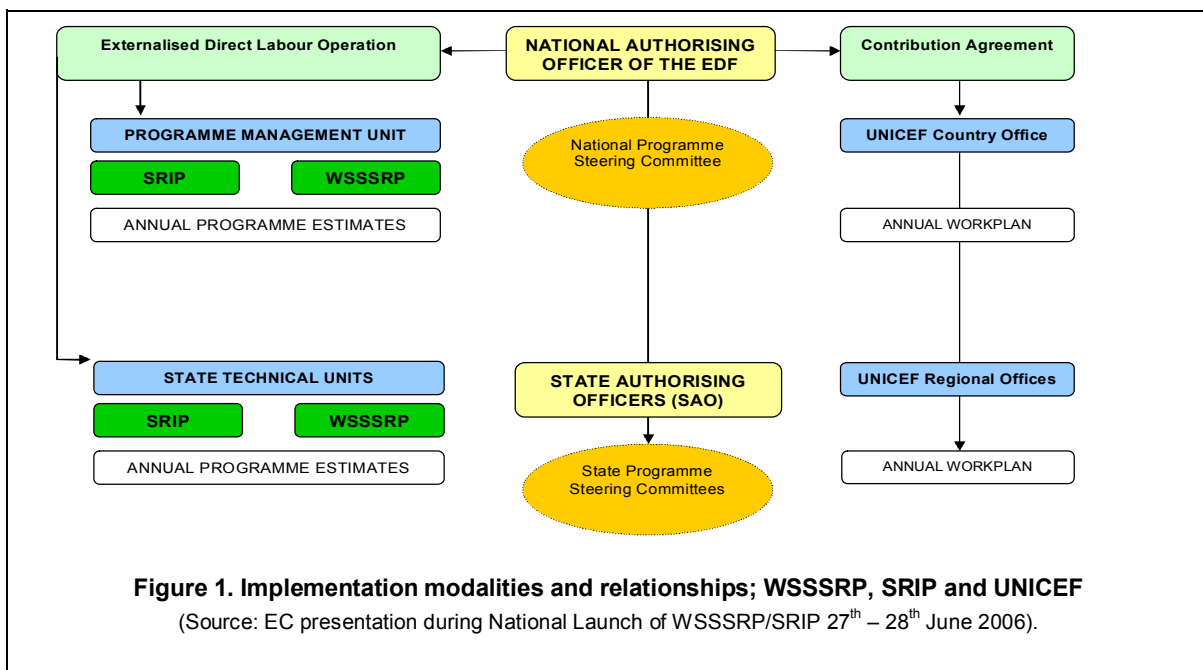
In recent past water supply and sanitation services used to be provided by various agencies including direct implementation by the Federal Government and different actors in the States in absence of harmonized policies, approaches, and effective coordination leading to little or no community participation.. This often resulted in duplication of services and promoting different approaches giving rise to serious O&M issues. In addition, sanitation and hygiene component lacked priority and attention. However, Nigeria witnessed a paradigm shift of moving away from centralized approach with the formulation of National Water and Sanitation Policy in 2000 which limited Federal Government to policy advice and formulation, data collection, monitoring and evaluation. The policy also proposed a cost-sharing formula (see Table 2) to finance the water supply projects jointly by Federal, States, LGAs and communities. The Water Supply and Sanitation Sector Reform Programme (WSSSRP) was initiated in 2005 to support the reform process of the government of Nigeria in water and sanitation sector.

### Introduction to water and sanitation sector reform programme (WSSSRP)

Cognizant of some of the circumstances that led to the current poor situation, the Federal Government of Nigeria in 1997 commenced the process of reforming the water resources sector, in order to establish effective, efficient, functional, and implementable policy in the sector. The Federal of Ministry of Agriculture and Water Resources (FMAWR) is spearheading the reform process through revised legislation, institutional restructuring, and the development of strategies for water supply and sanitation and Integrated Water Resources Management. In support of the reform process, the European Commission (EC), through the European Development Fund (EDF) agreed with the Federal Government, in December 2004, to fund the Water Supply and Sanitation Sector Reform Programme (WSSSRP) at a total cost of €119.63 million, with the EDF covering €87 million. The three tiers of Government (Federal, State and Local Government) and beneficiary communities will contribute €31.43 million and UNICEF €1.2 million. The programme which stated in July 2005 will end by July 2011 (the earlier four year implementation period extended by additional two years in 2008) is being implemented in the six focal states of Anambra, Cross-River, Osun, Kano, Jigawa, and Yobe. The overall objectives of the WSSSRP are to provide support for institutional and policy reforms, demonstrate innovative approaches to service delivery and assist in the implementation of water supply and sanitation projects. The specific objectives of the WSSSRP are:

1. To improve water governance at federal level;
2. To improve water governance at state and LGA levels in the six focal states;
3. To improve water service delivery in urban areas in the six focal states;
4. To deliver water supply, sanitation and hygiene promotion services in a sustainable and integrated manner in up to 1000 rural communities and 60 small towns in 25% of LGAs in the six focal states.

The rural water supply and sanitation component of the sector reform programme under “Objective 4” (mentioned above) is being implemented by UNICEF through a four-year Contribution Agreement signed in July 2005 with the National Authorizing Officer (National Planning Commission) and endorsed by the EC. In addition, in Cross River, Kebbi and Gombe States, support is being provided towards eradicating guinea worm in 21 communities in 5 Local Government areas and developing capacity of the National Water Resources Institute (NWRI), Kaduna, a parastatal of the Federal Ministry of Agriculture and Water Resources (FMAWR). The FMAWR is the lead ministry for water supply and sanitation sector at the Federal level while Rural Water Supply and Sanitation Agencies (RUWASAs) are responsible for water and sanitation in rural areas. The structure adopted for implementation of the reform programme is illustrated in Figure 1. The Programme Management Unit (PMU) is responsible for the overall coordination of sector reform programme at the Federal level.



**Figure 1. Implementation modalities and relationships; WSSSRP, SRIP and UNICEF**

(Source: EC presentation during National Launch of WSSSRP/SRIP 27<sup>th</sup> – 28<sup>th</sup> June 2006).

This paper will attempt to share salient features of the sector reform programme including self-selection of states, Local Government Areas (LGAs) and partner communities; financing mechanism for cost sharing; formation and strengthening Water, Sanitation and Hygiene (WASH) Units/Departments at the LGA level; contracting/procurement and fund transfer processes; and experiences learned in the implementation of the sector reform programme.

## Methodology

The WSSSRP programme was designed through a consultative process with a clear Logical Framework. The first step in the implementation is the signing of financing agreement between the Federal Government and EC. The financial agreement is a legal document which gives detail of contractual and legal conditions as well as programme design including proposed objectives, activities, timeframe, and implementation mechanism. Following to the financial agreement, for rural component, contribution agreement is signed between the Contracting Authority (the National Authorising Officer (NAO) of the European Development Fund on behalf of the Federal Government of Nigeria) and the UNICEF with due endorsement by the EC. The next step is the signing of MOUs between the Federal Government and States again with endorsement by EC. The signing of MOUs marks the beginning of implementation of proposed activities at the State level as captured in the programme design and logical framework (LFA). Below are the salient features of major steps of the implementation methodology adopted signing of the MOUs:

5. Self-selection of focal LGAs in the six focal States
6. Institutional restructuring/strengthening at State and LGAs levels including establishment of LGA Water, Sanitation and Hygiene (WASH) Departments/Units
7. Self-selection of small towns for interventions.
8. Self-selection and mobilization of partner communities including establishment and capacity development community based structures (e.g., Water and Sanitation Committees known as WASHCOMs in Nigeria)
9. Development and implementation of cost sharing mechanism for counterpart funding
10. Policy formulation/legislations
11. Development/refinement of procurement and payment processes
12. Provision of integrated WASH services through reformed structures
13. Monitoring and evaluation
14. Payment and transfer of ownership of improved facilities to WASHCOMs

As mentioned earlier, UNICEF implements the rural components through its implementing partners i.e., FMAWR at Federal level, Rural Water Supply and Sanitation Agencies (RUWASAs), and LGA WASH Depts/Units and CSOs the State level. UNICEF also provides direct support to the partners through its staff based in country and field offices, international, national and sub-national levels consultants.

## State selection process and signing of states MOUs

In the programme design phase, six states viz. Abia, Cross River, Gombe, Kebbi, Osun and Plateau were selected initially with possibility of switching support from the existing focal states to non-focal states. However, later on in 2006 with the completion of SEEDS benchmarking exercise, four of the six states were replaced while two of the States (i.e., Cross-River and Osun) were retained. The new four States were Anambra, Kano, Jigawa, and Yobe. The nationwide SEEDS benchmarking exercise was conducted by the National Planning Commission (NPC) in collaboration with other development partners in 35 States and FCT (Federal Capital Territory); only one state (Bayelsa) didn't participate. The exercise used 90 verifiable indicators to benchmark states in four key areas of Policy, Budget & Fiscal Management, Service Delivery, and Communication and Transparency (NPC, 2007).

Following the declaration of result of benchmarking exercise, signing Memorandum of Understanding (MOU) between the Federal Government and States is the first step in the process and it is a precondition for the States to participate in the WSSSRP. The MOUs sets out the framework to formalise the Federal Government's and State's commitment to the implementation of SRIP and WSSSRP in the State. The National Authorizing Officer (the Honourable Federal Minister/Deputy Chairman of the NPC), and Federal Minister of FMAWR are the signatories of the MOU to represent the Federal Government of Nigeria (FGN) and State Governor is the signatory to represent the State while the MOU is also endorsed by the EC. The process of preparing and signing MOUs were successfully completed towards end of Dec 2006 taking over months (UNICEF, 2006).

### Self-selection of focal LGAs in the six focal states

Local Government Areas (LGAs) are the lowest tier of Government in Nigeria. There are 774 LGAs in the 36 States and FCT in Nigeria. The 2<sup>nd</sup> biggest challenge for the WSSSRP was to select 25% of LGAs in the six focal States in a transparent manner without any political interference or any other bias. In the two States of Osun and Cross-River, LGAs were self selected based on a joint State-UNICEF developed criteria which included (i) existing structure for Water and Environmental Sanitation delivery (ii) Water Supply and Sanitation coverage, (iii) prevalence of water and sanitation related diseases, (iv) annual financial allocation for WES, (v) evidence of past revenue available, (vi) timeliness and quality of proposal, (vii) future plans for WES project implementation, (viii) willingness to financially contribute to project implementation, and (ix) presence or otherwise of other development partners in the LGA (PMU and SRIP, 2008). Later on the SRIP/WSSSRP team independently reviewed and assessed the selection process. In the review it was concluded that LGA selection process had been followed in a transparent and inclusive manner despite a number of weakness in the criteria and procedure, and thus all the LGAs previously selected were endorsed by the SRIP/WSSSRP team. However, for the subsequent LGA selection process in the remaining four States, the selection criteria was revised through a joint WSSSRP working group (including UNICEF, SRIP, FGN and EC) using a performance oriented approach based on commitment to governance reform. The guiding principles for the reformed process for LGA selection shifted away from a needs-based approach to a performance-oriented one and aiming at assessing commitment more than capacity. The revised LGA selection criteria are given in Table 1. The process for selection of LGAs included (i) stakeholders' workshop to raise awareness with participation from relevant ministries and parastatals and to agree on modalities, process and criteria for LGA self-selection; (ii) meetings at the highest political/policy level; (iii) establishment of State Level Steering Committee; (iv) invitation of proposals from LGAs; (v) development and orientation on guidelines for assessment; (vi) submission of proposals by LGAs, assessment/scoring or ranking of submitted proposals; (viii) preliminary selection of LGAs based on ranking, verification of the submissions of the successful LGAs and (ix) declaration of the results involving announcement of the selected successful LGAs.

S.No.	Criteria	Score
1	Is there a budget document for 2006 available?	10
2	Description of the process used in developing the 2006 budget	10
3	Description of how the 2005 budget was implemented	15
4	Is the forecasting of Internally Generated Revenue improving over the last 3 years?	5
5	Has the difference between budgeted and actual expenditure improved over the last 3 years?	5
6	Is there evidence that data no more than 2 years old has been used in planning the 2006 budget?	5
7	How does the LGA organise the provision of W&SS (Water Supply and Sanitation)?	10
8	What mechanisms if any do you have in place to ensure maintenance of infrastructure in your LGA?	15
9	What efforts has the LGA made to make the award of its contracts more transparent?	10
10	What opportunities does the public have to question the LGA?	10
11	Is there evidence that the LGA has published and disseminated the budget and financial statements?	5
	TOTAL	100

### Self-selection of small towns

The criteria for self-selection of small towns include population range (i.e., 5,000-20,000 people); demonstration of willingness to own, operate and maintain WASH services through the formation of a Water Consumers Association (WCA) as its legal representative; demonstration of its willingness to pay its cash contribution for the capital costs, O&M and replacement costs; presence of legal framework in the State for transfer of ownership of WASH services to WCAs; shortage of water and an existing market for water in the town; absence of free water schemes; and prevalence of any or more of water related diseases: onchocerciasis, filariasis, guinea worm and malaria etc. The selection process involves (a) organization of orientation workshop to explain the selection criteria and procedures, (b) distribution of application form at LGA level, (c) collection and evaluation of application form by the evaluation committee representing all relevant stakeholders including NGOs/CSOs, (c) verification of

information provided before ranking of small towns (if required), and (d) organization of a selection meeting to finalise the ranking of small towns and formal notification (PMU, 2007).

### **Self-selection and mobilization of partner communities**

The community selection process comprises of carrying out advocacy/ sensitization meetings for all relevant stakeholders, establishing LG Steering Committee, distribution of application form and guidelines to communities, submission of bids, systematic evaluation of bids, and declaring and notifying successful communities. The criteria adopted for self-selection of communities (having population less than 5,000 people) comprise of nine verifiable indicators (UNICEF, 2007). These include elements of vulnerability, demand responsiveness, transparency and accountability. For detail of indicators and respective weightage/score, readers are referred to Adegoke et al (2009). In order to facilitate evaluation of bids quantitatively against the criteria, a scoring system was adopted by assigning a maximum score/weight to each of the above factor on a scale of 0-100 points. The evaluation of bids was carried out independently by a team of evaluators using anonymous coding for identification of the communities, while the average score for each community computed based on individual scores awarded by different evaluators. Excel spreadsheets were used to facilitate data analysis and compilation. Community mobilization activities, such as formation and strengthening of gender balanced Water, Sanitation and Hygiene Committees (WASHCOMs), opening of bank accounts for counterpart funding, collection and deposition of contribution fund in the bank account, hygiene and sanitation promotion, begin with the selection of communities. The process of community mobilization cuts across all aspects of the programme including monitoring and quality control of the hardware components by beneficiary communities. By the time contractors are engaged for the construction of water supply works, communities are fully mobilized. LGA WASH units with support from RUWASA are responsible for community mobilization. WASHCOMs are not only responsible for operation and maintenance of the water and sanitation facilities but also for certifying the contractor's work after completion which is also to be certified by the respective LGA WASH unit/department.

It should be noted that the term "self-selection" is used in Nigeria to reflect the fact that LGAs, small towns and rural communities provides requested information/proposals themselves rather than external agencies assessing their situation. The information is used at state level to make final selection of LGAs while similar transparent process is adopted at LGA level to select small towns and rural communities.

### **Cost sharing arrangements and disbursement process**

Prior to the WSSSRP, there was no mechanism for cost sharing of water supply projects by various agencies. As mentioned earlier various ministries and agencies both at Federal and State level used to implement projects without any coordination frequently giving rise to duplications and non-ownership of project by the beneficiary communities. The principle of cost sharing as outlined in the National Water Supply and Sanitation Policy 2000 was adapted in the WSSSRP to define the respective share of contribution due from the Federal Government, States, LGAs and Communities. Table 2 shows the respective contribution (in %) for capital investment and operating costs for rural, small town and urban water supply systems in the absence of any external development partner/donor support (FMAWR, 2008). However, in the WSSSRP communities contribute 5% of the total share while remaining 95% is equally shared by the government (all three tier) and EU-UNICEF i.e., 47.5% comes from three tiers of government (Federal 25%, State 12.5%, LGA 10%) and 47.5% is contributed by EU-UNICEF. Translating these policy guidelines into workable implementation mechanism was a great challenge and problematic in Nigeria due to absence of agreed mechanism for pooling together and managing the contribution from the respective stakeholders. As a result of deliberations and consultations lasting over 1½ years, the FMAWR finally produced a mechanism for counterpart fund contribution (WSSSRP, 2008). This mechanism requires States to open State Contribution Account specifically to be used for the programme. FMAWR has to also open a specific project account for the programme. States are required to formally request the Federal Government of Nigeria (FGN) to deduct their contribution at source from the Federation Account and then to transfer to the State Project Contribution Account. The FMAWR has to make a similar request for its contribution to be transferred to FMAWR-FGN Project Contribution Account. The State sub-sector implementing agency responsible for the implementation of WSSSRP has to open a "Project Implementation Account".

The counterpart contributions from the States (including LGAs) and FGN is to be transferred to a Project Implementation Account, once the State sub-sector implementing agency formally make request to the States and FGN through the State Authorizing Officer (SAO) as per guidelines developed by the FMAWR for procurement of works and transfer of counterpart fund. In order to qualify for the counterpart funds from the States and FMAWR, the implementing agency must follow due process for procurement of work and must meets documentation requirements (see next sections for detail).

Agency	Capital Investment			Operating Costs		
	Rural WSS	Small Town WSS	Urban WSS	Rural WSS	Small Town WSS	Urban WSS
Federal Govt.	50 %	50 %	30 %	NIL	NIL	NIL
State Government	25 %	30 %	60 %	10 %	NIL	100 %
Local Govt. (LGA)	20 %	15 %	10 %	20 %	NIL	NIL
Community	05 %	05 %	NIL	70 %	100 %	NIL

## **Tendering and contracting process**

Under the WSSSRP, attempt has been made to facilitate and enhance open and fair competition, transparency and accountability as per National Public Procurement (NPP) Act 2007. The contracting process must follow the revised guidelines prepared by the Federal Ministry (FMAWR, 2008). The recommended procurement process includes preparation of state specific procurement plan and standard tender dossier, pre-qualification of contractors, tender advertisement at least in two national newspapers, pre-bid meeting of all intending bidders, opening of tenders/bids in public, evaluation of tenders/bids, obtaining local approval from the State Due Process Office (SDPO) and No Objection Confirmation (NOC), notification of successful bidders, signing and mobilization of contractors. States who do not follow the agreed guidelines for procurement will not qualify for counterpart funding and thus States are forced to stick to the Due Process to ensure transparency.

## **Payment process**

For the rural component, payment to contractors is done through reimbursement. The first step in the payment process is the preparation of a "Demand Notice" by the sub-sector implementing agency (RUWASA for rural component). The Demand Notice will include detail of project implementation account, name of contractors engaged as per procurement process, number of water sources to be constructed by the contractor engaged, total applicable cost for counterpart funding, breakdown of contribution required from the stakeholders (i.e., FMAWR, State, LGA, EU-UNICEF, and Communities) as per agreed cost-sharing formula, amount being requested for the completed works, detail of previous payment made by each stakeholders, and remaining balance for each of the stakeholders. The demand notice is to be prepared and signed by State Sub-Sector Implementing Agency (e.g. RUWASA for rural component), endorsed by UNICEF State WASH Consultant (for rural component) or State Technical Unit Coordinator (for small town and urban component), and to be signed by the State Authorizing Officer. The State Authorizing Officer will then submit formal request to Federal Minister of Agriculture and Water Resources, for transfer of counterpart fund, along with duly completed Demand Notice, letter of contract award for each contractor, letter of acceptance from the contractors, contract agreement signed between sub-sector implementing agency and contractors, and work completion certificates. The State Implementing Agencies will carry out a similar exercise to access State Contribution while EU-UNICEF contribution is also transferred to the Project Implementation Account.

## **Status of major achievements**

As mentioned earlier, the major focus of this paper is on the reform process rather than on the implementation of integrated WASH service delivery. However, the status of major achievements is summarized below:

- Cost sharing mechanism under counterpart funding has successfully been demonstrated. Recent (early Feb 2009) release of over N90 million FGN contribution to the six focal States marked completion of first phase of reform cycle.
- Facilitation and technical support in the formulation of the National Water Resources Policy.
- Key support in the preparation of the National Water Resources Bill through a nationwide consultative process with effective participation of all stakeholders. The Water Bill is to be presented to the National Assembly soon for approval.
- Invaluable contribution in the development of the Water Resources Strategy for the implementation of the National Water Policy.
- Development of the National M&E Framework and Establishment of Sector Coordination Framework
- Facilitation of review of the institutional framework for water supply and sanitation in the six States.
- Processes, guidelines, and mechanism are established and put in place to demonstrate integrated service delivery through reformed process.

- Capacity development of RUWASA and LGAs WASH Units (including formation of LGA WASH units/Departments) with NWRI as the lead resource centre.
- Availability of counterpart funds in the project contribution accounts of the FMAWR and States.
- All the target 39 LGAs and 6 focal States selected in a transparent way.
- About 825 rural communities are self-selected under rural component.
- Over 240, 000 people in the rural communities including guinea endemic communities received access to improved sources of water through construction of new water sources such as hand pumps, solar powered motorized water supply systems, and rainwater harvesting.
- Over 3,200 household sanitation facilities constructed without any subsidy using Community Led Total Sanitation (CLTS) approach which was introduced recently in 2008.
- Provision of integrated WASH package comprising safe water supply, sanitary latrines and urinals separate for boys and girls to over 30,000 pupils in 70 primary schools. The provision of facilities is complemented with appropriate hygiene promotion intervention for teachers and pupils.
- Training and equipping of State and LGA WES Units with computers and accessories to support establishment of improved information management systems.

### **Major constraints in the implementation of WSSSRP**

The implementation of the WSSSRP suffered major delays due to the following constraints:

- Delay in putting in place a cost sharing mechanism for counterpart funding (became available in Feb 2007).
- Change of focal States delayed the implementation by 9 months (completed in April 2006) and hence activities that were not linked to availability of counterpart funding were also delayed as they were linked to the selection of LGAs within the States (LGA selection completed in March 2007).
- Accessing the counterpart fund by the implementing agencies remained a major challenge as the process evolved as result of “learning by doing” which took considerable time. Being a new concept, the implementing agencies initially faced a challenge of fulfilling the documentation requirements partly due to lack of internalization of the guidelines.
- Though recently the communication between States and Federal Government has significantly improved, it was a big problem giving rise to misunderstanding and often delaying the progress on release of counterpart funds.
- Linking integrated service delivery with the “Sector Reform Process” is not an easy job to be undertaken as such services cannot be delivered unless processes and mechanism are in place. The “Reform Process” takes much longer time to implement and to be internalized which requires giving up old routine practices and adoption of new thinking and practices.

The programme (rural component) had its Mid Term Evaluation (by external team engaged by the EC) in early 2008 which acknowledging the major constraints beyond the capacity of implementing partners has recommended extension of the implementation period to compensate for the delays the programme had suffered and hence amendment to the contribution agreement was made in December 2008 extending implementation period from July 2009 to July 2011. With the first cycle of reform process completed including transfer of over fund from Federal and States for the completed works, the implementing partners are now well positioned to repeat the processes which they have learned for subsequent implementation.

### **Conclusions**

WSSSRP has managed to introduce vital reform processes for implementation of integrated water and sanitation services to achieve transparency, accountability and participation of all stakeholders. The programme has managed to put in place a workable mechanism for cost sharing under counterpart funding. Strong community participation including cash contribution by communities to the capital cost is going to result in ownership and sustainability of the services as operation and maintenance of the facilities has been a major issue in Nigeria where about half of the improved water sources are estimated to be non-functional. As envisaged, the outcome of the reform programme in the longer term is to be applied to the whole water and sanitation sector in the country. At present the FMAWR has initiated a process of applying cost sharing principles to others programmes. Some of the States in Nigeria have already adopted the cost-sharing arrangement partially under DFID/UNICEF supported programme under which half of contribution comes from the States and remaining half from DFID/UNICEF. However, the FGN contribution has still to be streamlined as per National Water and Sanitation Policy.

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## Note/s

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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## Keywords

sector reform, water supply, sanitation, cost sharing, community contribution, demand driven approach

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