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OF WATER AND SANITATION FOR ALL**

**Facilitating sanitation governance in small town DRC**

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*This paper describes the initial results of formative research on Sanitation Governance carried out through the Sanitation Marketing (SanMark) programme in the Equateur province of the Democratic Republic of the Congo (DRC). The DRC is a fragile state slowly emerging from a dictatorship and a war. The development of a local sanitation market is hampered by a high degree of distrust towards the state amongst citizens, and the expectation that international development organisations will provide free goods and services. The SanMark programme has sought to overcome these challenges by working with the Comité Locale de Pilotage (CLP), a local steering committee, composed of a broad coalition of representatives from local government, civil society and the private sector. The work of the CLP has contributed towards ensuring the legitimacy of the SanMark programme within the local community, the business community, and within the local state structures.*

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## **Introduction**

The Democratic Republic of the Congo (DRC) is a vast country in central Africa. Access rates to improved sanitation, both rural and urban, stand at 29% of the population (UNICEF and WHO, 2015). The country is marked by a brutal colonisation period, a swift and unprepared decolonisation process riddled with foreign meddling, a dictatorial kleptocracy and various wars which saw the deaths of millions of people, the largest part of which died as a result of preventable diseases which struck the fleeing and starving population. (Hochschild, 1999; Nzongola-Ntalaja, 2002; Stearns 2011). While violence and displacement is still widespread in East DRC, large parts of the rest of the country have been relatively stable for some time. In the former Equateur province located in northwest DRC, Oxfam Great Britain has initiated a ‘sanitation marketing’ (SanMark) programme in collaboration with Wageningen University and with financial support of the UK Department for International Development (DFID) to improve access to sanitation services and products.

Despite popular belief, the DRC is not a ‘failed state’, it is however a fragile state where both the delivery of various services, as well as the governance thereof, are carried out by varying constellation of actors (Kabamba 2010; Titeca et al., 2013). In the sanitation sector, many ministries officially play a role, even though in practice this heavily relies on the efforts of international development agencies and non-governmental organisations (NGOs), as the Congolese state is singlehandedly unable to deliver services to its citizens. Consequently, this has led to two large challenges which the SanMark programme has had to face: 1) most citizens have a high distrust of the state; and 2) there is a high expectancy of NGOs to ‘hand out’ goods and services.

This paper sets out to describe how the SanMark project has addressed these challenges, specifically by elaborating on the role of the local steering committee (*Comité Locale de Pilotage*; CLP) in overcoming local governance challenges. The paper will subsequently describe the SanMark programme, the formative research carried out relating to governance and the methodology used for this paper. Section three will describe the historical context of the DRC and the town where the SanMark programme has been piloted. Section four elaborates on some of the results achieved within this programme and findings of the formative research. These will be discussed in section five to distil some lessons on what this means in general for

WASH services in the transition from emergency to development, and specifically on SanMark in a fragile state. A brief conclusion ends the paper.

## Methodology

This paper is based on research undertaken within the pilot phase of the DRC SanMark programme led by Oxfam GB with Wageningen University as one of its partners. During its pilot phase, the SanMark programme has been operating from Gemena, a small town with a population of around 300,000, located in north-western DRC. Sanitation Marketing is an approach to sanitation that applies insights from commercial marketing and social marketing in order to change behaviours and scale up the demand and supply for improved sanitation, particularly among the poor (Devine and Kullmann, 2011). The DRC SanMark programme has recognised three main pillars in order to achieve this: 1) increase demand for sanitation products and services; 2) stimulate the offer of sanitation products and services on the local market; and 3) work towards an enabling environment capable of sustaining the delivery of sanitation services. The first component is addressed through campaigns carried out by grassroots organisations, radio shows and by showcasing innovative sanitation products on the local market. The second aspect is addressed by collaborating with a local technical school to train sanitation entrepreneurs and by working with local artisans to develop new latrine components. This paper puts a focus on the third pillar.

An integral part of a sanitation marketing programme is a component of formative research. This research provides data on existing practices, factors of influence, and the required sanitation products and services; this data informs a programme continuously, from its design to implementation and monitoring (ibid). Within the DRC SanMark programme formative research has been carried out by a group of local experts, consultants, four MSc students, one PhD candidate, a postdoc researcher and three senior researchers and Oxfam staff supporting from distance. A wide range of data has been collected on topics such as consumer practices and motivations, supply chain and the local market, financing and governance. Data collection methods include household surveys, interviews, questionnaires and focus group discussions.

A second focus point of the DRC SanMark programme has been to work toward ownership of the programme at national and local level. This has been done through the establishment of steering committees (*comité de pilotage*). At national level the steering committee is composed of various government representatives (Ministry of Public Health, Ministry of Environment, Nature Conservation, and Sustainable Development, National Committee for Action on Water and Sanitation (*Comité National d'Action de l'Eau et de l'Assainissement* ; CNAEA) as well as representatives from DFID, Oxfam and Wageningen University. It is mainly concerned with learning from experiences in Gemena and seeking ways on how to replicate successes and resolve blockages. At the local level in Gemena a parallel structure was born out of a local initiative at the inaugural SanMark workshop. This structure, named the Comité Locale de Pilotage (CLP), is an organisation consisting of engaged citizens, civil society, faith-based organisations, women's associations, media, businessmen and artisans as well as local state functionaries. The CLP has established itself as an official association through member contributions and is working together with Oxfam staff in implementing the SanMark programme.

This paper comes at the end of the pilot phase of the SanMark programme (October 2013 – January 2016). It seeks to assemble some of the lessons learned during this phase, especially concerning aspects of governance. The paper draws on data generated through the formative research conducted within the SanMark programme, as well as on background literature review on the history of the DRC. The objective of the paper is to provide input for a discussion amongst WASH-practitioners and academics on how to develop sanitation marketing programming within a fragile state. The following section briefly elaborates on the context within which the DRC programme has operated.

## Historical context

The DRC was formed and colonised in 1870 under the mandate of the Belgian King Leopold II, in 1908 public administration was handed over to the Belgian state. In 1960 the country gained independence and slipped into unrest when also the country's first democratically elected leader, Patrice Lumumba was assassinated (Nzongola-Ntalaja, 2002). In 1965 Mobutu Sese Soko took power. The dictatorial regime led by Mobutu until his death in 1997 was marked by repression and large-scale institutionalised corruption (Nzongola-Ntalaja, 2002; Wrong, 2002). By 1973 the country slid into a recession as a result of the dropping copper prices. Successful businesses were nationalised to reward those loyal to Mobutu, further deepening the economic crisis as most enterprises quickly went bankrupt. During Mobutu's kleptocratic rule the notion

of *debrouillez-vous* (sort yourselves out) became institutionalised even to the point that it was known as the fictional 15<sup>th</sup> article of the Constitution. *Debrouillez-vous* means to get by, by any means necessary. This also took drastic forms during several infamous looting incidents hurting local business even further. However, it was not only repression which allowed for Mobutu to stay in power. Equally important is the system of patronage where state positions were distributed amongst kin and where citizens were regularly provided with hand-outs. In Equateur, Mobutu's home province, the population was accustomed to receiving state goods and services for free.

From 1996 onwards the DRC has been the setting of various wars. In 1997, Laurent-Desire Kabila managed to take over Kinshasa, backed by Rwanda and Uganda. He later turned his back on this support leading to the Second Congolese War (also known as the Great War of Africa). The war had the direct involvement of nine African countries, counted approximately 20 separate armed groups and led to the death of more than 5 million, largely through disease and starvation (Stearns, 2011). In 2000 the war reached Equateur province. In 2001, Laurent-Desire Kabila was killed by one of his guards, and his son Joseph was quickly installed as his successor. After the 2002 Sun City peace agreement, a transitional government was put in place (2003-2006) led by Joseph Kabila. He has remained president since winning elections in 2006 and 2011. Despite the peace agreements, conflicts in the eastern provinces of DRC are on-going. As a result of this legacy, poverty in the DRC is widespread and the country ranks at the bottom of the Human Development Index. The Congolese state apparatus is severely crippled and incapable of delivering services to its citizens. Many officials at local government level are underpaid, -resourced, -educated and appointed through nepotism (Trefon, 2009; 2011). This is facilitated by a system where civil servants throughout the hierarchal ladder must pay their superiors to maintain their position or avoid relocation. As a result, funds are siphoned off from salaries of subordinates, or from the purchase of materials. State officials are also known to extract money from the population through excessive or arbitrary taxing and fining, commonly known as '*tracasseries*' (annoyances). As a result, a deep mistrust towards the state can be found throughout society.

## **Gemena**

Gemena is located in the Sud-Ubangi province. At the inception of the SanMark programme this was part of the Equateur province, but this was split up in five separate provinces in June 2015, as foreseen in the 2006 Constitution. Gemena is strongly linked to the Bemba family. Jeannot Bemba was the richest businessman during Mobutu's era and owned many coffee plantations in Gemena. During his life he perpetuated a culture of gifting in Gemema. He is buried in Gemema, as is Mobutu's mother. Jean-Pierre Bemba (Jeannot's son) was one of the most prominent rebel leaders during the Second Congolese War and one of Kabila's main rivals during the 2006 elections. Gemena is located in a fertile agricultural area and has a bustling market site. The roads leading to Gemena are however in terrible shape and most public infrastructure in the town is in a dilapidated state. Some water points have recently been established through cooperation assistance with the German KfW and the state urban water agency, REGIDESO.

Data resulting from the SanMark household survey shows that latrine ownership is common in Gemema (84% of households), but these are often non-hygienic (78%) and shared between multiple extended households (16 %). Sanitation ranks low in household spending priorities. This can be partly explained on the basis of low disposable income, but also the lack of public controls on latrine ownership and the gendered patterns in decision making regarding household expenditures play their role. Solid waste collection is non-existent and public latrines (e.g. at the market, schools) placed by international NGOs are typically unusable due to lack of maintenance; or otherwise vandalised by people wanting to use them at night. No faecal sludge management system exists in Gemema; households cover their pit and plant a banana tree on top once the latrine is full, and dig a new pit on their plot. The common type of latrines, with superstructure composed of unbaked clay bricks or sticks, slab made of wood and roof made of leaves is easily damaged by the tropical rains and termites. Digging pits is also complicated in certain parts of Gemema due to high groundwater tables or rocky soils.

## **Sanitation governance in Gemema**

Sanitation in Gemema is governed through two main actor groups: the state and civil society. Under the on-going decentralisation process outlined in the 2006 Constitution, state responsibility is ensured by representatives of the Ministry of Environment (*Ministère de l'Environnement, Conservation de la Nature et Développement Durable*), the Ministry of Health (*Ministère de la Santé Publique*) and by local authorities

(*Entités Territoriale Décentralisées*; ETD) (RDC, 2010). However, on the ground in Gemena, a variety of state officials (e.g. Public Health, Urban Planning, Gender Affairs etc.) appear to be involved. Most of these heads of divisions have various *agents* at their disposition. The *agents* of the Ministry of Health, the *brigade d'hygiène*, used to play an enforcement role in sanitation during the Mobutu regime, as they controlled the presence of latrines on every plot. Another role of importance is played by the *chefs du quartiers* who regulate local grievances and conflicts. A remaining institution from the past is the *salongo*, or community work carried out to keep the public space clean. This takes place 'in certain neighbourhoods' on a weekly basis as people cut grass in front of the public administration buildings and clean other public spaces.

Most state officials are not paid, or at least not regularly. Their offices lack the most basic of equipment and services. Even laws and new policies are hard to come by, for instance the 2013 national sanitation policy (*Politique Nationale d'Assainissement*; PONA) was introduced in Gemena by the SanMark project. Enforcement has become an arbitrary matter, resulting in transgressors negotiating their own fine, but also in inspectors being chased away by angry citizens. State officials also actively engage in dubious practices. Examples from Gemena include a local authority selling fake coupons to obtain a new latrine and the embezzlement of fees originating from a pay-as-you-go latrine on the market. The *Gemenois* often complain of the daily *tracasseries* they endure, such as fake taxes and arbitrary fines. These *tracasseries* are especially harmful for (small) businesses and the development of favourable market conditions.

Civil society also plays a large role in sanitation in Gemena. This group of actors consists of local and international NGOs, faith-based organisations and associations of private sector operators. Various humanitarian relief efforts began operating in Gemena once Equateur became accessible after the war through the presence of the UN stabilisation mission, MONUSCO. In the domain of sanitation this increased presence has taken the form of public latrines and solid waste collection at the marketplace and various types of school latrines. These services quickly fell into disrepair after delivery due to private appropriation of materials and funds by state officials, but also vandalism and misuse of the facilities by local citizens. The local *association des commerçants* (traders' union) also organises sweeping campaigns in the markets, and has publicly opposed the *salongo*, which they believe to only benefit the state officials.

With the presence of international NGOs, various coordination mechanisms have also been put in place. These include the 'cluster' and 'intercluster' meetings for emergency coordination and the coordination of development projects through the *Bureau de Coordination des ONGDs* (NGO coordination bureau; BUCONG). These coordination mechanisms continue to operate today without the direct support of the international agencies which initially set them up. MONUSCO has also left Gemena as the Equateur province has been calm for a while now.

The *Comité Local de Pilotage* (CLP) has emerged from the SanMark project as a new organisation actively involved in the governance of sanitation in Gemena. It groups stakeholder representatives from state officials, civil society, media and private sector and a 'sister' organisation, the *Comité de Base* (CdB) which groups the representatives of community-based women's associations. The members of the CLP have registered themselves as an association under Congolese law in order to be recognised by the state in their advocacy objectives and are active partners of the SanMark programme. The CLP is slowly taking over the convening role of SanMark project activities and advocacy towards the public and authorities for the importance of sanitation. This happens through grassroots organisations embedded in the CdB, but also through public events such as a demonstration site for new latrine models on the main market road of Gemena. A physical demonstration space was built to showcase the product prototypes. Research showed that expenditure priority, trust and quality were factors in the decision to purchase a product or service. Having a physical space acts as a catalyst to the development of a market providing a link between the population and local businesses involved in the sanitation market, promoting trust relationships between these while also providing a visual confirmation of the quality of the product prototypes. The CLP is actively involved in the management of the space.

## Discussion

Gemena's context brings about various complications for the implementation of a sanitation programme. The area is transitioning from a post-emergency situation to one of sustainable development. Paradoxically, this does not inherently mean that things are becoming easier for the population. Many international development organisations have Gemena as it is no longer a location of humanitarian crisis. With their departure, many funds and job opportunities have also disappeared. The local government is still unable to provide essential services to its citizens. The legacy of the Mobutu era is one of a system of corruption and

embezzlement, some state officials actively participate in this system while others just ‘play along’ to prevent job loss. At the same time, the humanitarian efforts have also left a legacy of parallel governance structures and service delivery mechanisms. These may keep these services out of reach or the ‘predatory’ state (Bavister-Gould, 2011), but it also limits the reach and sustainability of such service delivery. Citizens, in their turn, have little trust in the state; and as a consequence of the post-war humanitarian relief, many still consider international NGOs as suppliers of free goods, services and job opportunities. The local market functions in Gemena, but given the poor infrastructure and recurring *tracasseries*, most durable consumer goods are unaffordable for the majority of the local population.

From its inception, the SanMark programme has moved away from the notion of international development NGOs as service providers, or suppliers of free goods. By stimulating the local market to address sanitation needs, the programme is contributing to the ongoing transition from post-emergency to sustainable development in Gemena. One of the most promising developments so far has been the establishment of the CLP. As a body consisting of representatives from various sectors of Gemena’s society, the CLP is well positioned to discuss and drive long-lasting change. On the one hand the representation of state officials in the CLP ensures that the SanMark programme does not run parallel to the local government. On the other hand the strong presence of civil society members guarantees that topics within society are heard by state officials. The grassroots representation in the CdB, as well as the cooperation with local radio stations also allows for the SanMark programme to be well known throughout Gemena.

It has become clear that trust is a key factor in markets in DRC. This often exists in horizontal linkages; these are relationships based on longer-term cooperative arrangements that involve interdependence, trust and resource pooling in order to jointly accomplish common goals (Microlinks, n.d.). Such horizontal linkages have allowed for informal and formal networks to function well amongst traders and between traders and clients. In fact the majority of business is conducted through networks and word of mouth reliant upon trust. However this same trust does not exist in vertical, hierarchical relations between populations and government or in the case of markets, traders and suppliers. During the pilot phase a key role of the CLP was to engage with business persons, to facilitate engagement between different market actors.

Challenges still remain for the SanMark programme and the CLP. Firstly, most of Gemena’s population may be familiar with the SanMark programme and have heard about the importance of latrines, but actually investing in one is a second step. As one would expect in a context of high poverty, latrines rank rather low in households’ priorities. Yet the CLP is booking progress by working through the CdB and its grassroots structures to propose innovative saving schemes and by facilitating the demonstration site which is of great importance in the ‘seeing is believing’ culture of Gemena. Secondly, the CLP has to find a way to be financially sustainable itself to sustain its activities such as advocating towards the local government to facilitate market activities; the CLP has also set an objective to work on harmonising the tax system to promote sanitation based products and services on the local market. These types of activities are in line with the National Sanitation Policy principles such as demand-based approaches and inclusion of the private sector in service delivery. Currently, these activities are carried out by CLP members on a voluntary basis, but such enthusiasm can wane in the future. Local authorities also have increased responsibilities as a result of the on-going decentralisation process, but do not have access to the funds to much these new tasks. Relying on support of international NGOs would be counterproductive as this would again lead to donor dependency. This issue is currently addressed by organising governance and advocacy activities with the CLP at the provincial and particularly at the national level.

## Conclusion

Improving sanitation services in the DRC is a complicated matter. This article has described how the history of the DRC has shaped the current conditions of high poverty, corruption and a fragile state. Large parts of the country have been relatively stable for a while, but recovery is slow. In Gemena, latrine usage is common but the quality of latrines is very poor. The SanMark programme has worked towards an enabling environment capable of sustaining the delivery of sanitation services. As a result of the historical legacies, the state in Gemena is distrusted by many citizens and associated with practices of corruption. Humanitarian relief efforts have also generated expectancy amongst local citizens that international NGOs provide free goods and services, a practice already occurring during Mobutu’s regime. The SanMark programme has sought to break these patterns by working with the CLP, an association composed of representatives from local government, civil society and the private sector.

In the transition from emergency to development organisations like the CLP which work through trust and horizontal linkages based on longer-term cooperative arrangements contribute greatly towards ensuring legitimacy of development projects within the local community as within the local state structures. This clearly benefits the sustainability of a sanitation project. On-going work is needed to institutionalise such organisations at the local level and to demonstrate the value of such organisations to national policymakers.

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