



USAID | **LIBERIA**
FROM THE AMERICAN PEOPLE

USAID IMPROVED ACCESS TO SAFE DRINKING WATER IN LIBERIA ACTIVITY SECTOR-WIDE INSTITUTIONAL ANALYSIS

April 30, 2023

This publication was produced for review by the United States Agency for International Development.
It was prepared by Winrock International under contract 72066923C00001.

USAID IMPROVED ACCESS TO SAFE DRINKING WATER IN LIBERIA ACTIVITY SECTOR-WIDE INSTITUTIONAL ANALYSIS

Approved Date: March 28, 2024

Version: 3

Contract/Agreement Number: 72066923C00001

Activity Start and End Dates: November 1, 2022, to October 31, 2027

DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

TABLE OF CONTENTS

Acronyms.....	4
I. Background.....	5
II. Mapping Institutional Policy and Mandates.....	7
III. BARRIERS TO SECTOR REFORM UNDERTAKINGS	9
A. Conflicting/Duplicate Sector Policy & Strategy/Mandates	10
B. Limited Accountability AND Regulations	10
C. Limited and Inadequate Capabilities	10
D. Fragmented Political Governance AND Leadership	11
IV. POLITICAL & ECONOMIC INCENTIVES.....	12
A. Political Incentives.....	12
B. Enhanced Participation of women and Gender Dimensions.....	13
C. Economic Incentives FOR Private Sector Participation	14
V. WASH SECTOR REFORM PLAN GAPS.....	15
VII. RECOMMENDATIoNS	15
VI. CONCLUSION.....	17
Sources.....	18
Stakeholder Consultations	19

ACRONYMS

AMCOW	African Ministers Council on Water
CLTS	Community-led Total Sanitation
CSOs	Civil Society Organizations
EPA	Environmental Protection Agency
GC	Governance Commission
GOL	Government of Liberia
GRC	Governance Reform Commission
ICRPSD	Institute for Constitutional Research, Policy, and Strategic Development
IWRMP	Integrated Water Resources Management Policy
LGA	Local Government Act of 2018
LEPDA	Liberia Economic Policy Development Activity
LHS	Liberia Hydrological Services
LGIs	Local Government Institutions
LWSC	Liberia Water and Sewer Corporation
MACs	Ministries, Agencies and Commissions
MFDP	Ministry of Finance and Development Planning
MIA	Ministry of Internal Affairs
MLM	Ministry of Lands and Mines
MOE	Ministry of Education
MRD	Ministry of Rural Development
MOH	Ministry of Health
MYS	Ministry of Youth and Sports
NPHIL	National Public Health Institute of Liberia
NRW	Non-Revenue Water
NRWP	National Rural Water Program
PDPF	Policy Development Planning Framework
PUT	Policy Unit Team
RCA	Rapid Capacity Assessment
SWA	Sanitation and Water for All
WASH	Water, Sanitation, and Hygiene
NWASHC	National Water, Sanitation and Hygiene Commission
NWRSB	National Water Resources and Sanitation Board
WASH	Liberia WASH Compact
WSSC	Water Supply and Sanitation Commission
WSSP	Water Supply and Sanitation Policy

I. BACKGROUND

The past two decades have witnessed a change in Liberia’s WASH sector governance. This achievement can be attributed to sector efforts from the early 2000s. Government commitments are articulated in several sector policy instruments, beginning with the Integrated Water Resources Management (IWRM) policy, 2007, highlighting the critical importance of WASH and offering opportunities and options for intervention implementation in the WASH sector. Subsequently, in 2009, Liberia drafted the Water Supply and Sanitation Policy (WSSP), which was approved the same year. The WSSP is a sector-wide policy that reinforced Liberia’s commitment to improving the fragmentation of WASH sector governance. It guided institutional arrangement and economic and legal reforms to strengthen water governance in Liberia at national, sub-national, and community levels.

Government leadership in developing these policies serves as an assurance for development. The government’s commitment and leadership to implement these policies reassured development partners and civil society organizations. They focused on helping the government fulfill its obligations articulated in the approved policies. With funding from the Government of Liberia and development partners, the government and stakeholders, including civil society organizations, developed the Liberia WASH Compact Action Plan in 2011. The two-year action plan mapped out four priority areas ensuring that Liberian citizens have adequate access to safe, clean water and improved sanitation facilities. The two-year Liberia WASH Compact was approved in 2012. The two-year action plan mapped out four priority areas: (i) establish and strengthen institutional capacity, ii) service provision priorities and equity, iii) data and monitoring and evaluation gaps, iv) improve sector financing mechanism) to ensure that Liberian citizens have adequate access to safe, clean water and improved sanitation facilities. In addition to fully implementing the WASH compact, the government took decisive actions to develop two critical documents: the WASH Sector Investment Plan (SIP 2012-17), an obsolete policy. However, a five-year sector investment plan outlined key WASH sector priorities, identified resource mobilization mechanisms, and offered options to guide sector planning. This attempts to respond to WASH Compact comment four, “Improve Sector Financing.” A WASH Sector Strategic Plan, 2012-17, was earlier developed to complement the SIP and guide implementation of the recommendations in the Water Supply Sanitation Policy (WSSP), WASH Compact, SIP, and Sector Capacity Building Plan 2012-2017 also obsolete.

There is now a broad consensus regarding the nature of the challenges impacting the Water Supply and Sanitation services in Liberia, and an understanding has formed around the fundamental and structural reforms needed to enable the country to address some of these challenges. This consensus is expressed in policy documents from the Government of Liberia and its partners. The Pro-Poor Agenda for Prosperity and Development (PAPD, 2018-2023) and USAID’s Country Development Cooperation Strategy (CDCS, 2019-2024) are prime examples. Within the PAPD, the government acknowledges that there are significant limitations to achieving sustainable Water Supply and Sanitation services at the national and rural levels and points to a) institutional sector governance fragmentation, b) weak legal and regulatory framework, c) inadequate water distribution infrastructure particularly in rural Liberia, and d) inadequate sanitation services as the top limitations. Similarly, USAID’s CDCS points out that the adequate provision of WASH is central to its strategy for Liberia for 2019-2024 and an integral component under Development Objective Three (DO3) – *Foundations for growth strengthened through a healthy, productive, and educated population*. Under this development objective, the US government argues that *if the*

quality of water, sanitation, and hygiene (WASH), healthcare, and educational services improve within a strengthened and more transparent governance system, then the health and education status of Liberians and the human capital of the country will also improve leading to a more productive workforce thereby, stimulating inclusive economic growth.¹

These efforts by the government and partners are steps in the past by the government to invest in the WASH sector, which failed to address the WASH service delivery needs for Liberians fully. Quite to the contrary, substantial deficits remain despite years of efforts to increase investment in the sector. For one, the ability of the Government of Liberia (GOL) to deliver services at the national and subnational levels remains challenging due, in part, to limited institutional capacity and severe national budgetary constraints. Furthermore, empowering subnational authorities to deliver WASH services at the decentralized level remains a significant constraint on the part of the government.

Currently, USAID is funding two five-year projects in the sector: the Improved Access to Safe Drinking Water Activity in Liberia and the County-Wide Sanitation from 2022 to 2027. The Improved Access to Safe Drinking Activity will be implemented in rural Margibi and Montserrado Counties, and the County-Wide Sanitation Activity will be implemented in Margibi, Bong, Lofa, Nimba, and Grand Bassa Counties.

The Improved Access to Safe Drinking Water Activity will work closely with local government institutions (LGIs) in the two counties on effective budget planning and oversee water service delivery through partnerships with private sector service providers. The Improved Access to Safe Drinking Water Activity will work with local government at the subnational level to ensure an improved and equitable water service delivery in Margibi and rural Montserrado Counties and promote household pay-for-service behavior. This concept is for the sustainability of the water schemes long after the project ends.

These projects are expected to build on the success story of LEPDA, which supported the development of sector governance reform policies. LEPDA's support to improve sector governance through policy development was achieved through engagement with sector actors, including the government, civil society organizations, and private sector actors. LEPDA also established a small policy unity team (PUT) within the N-WASH Commission, now the sector 'think tank' whose expertise can be tapped on by other partners to improve service delivery.

One fundamental challenge that continues to haunt the sector is low public financing by the government. This is critical as it makes the environment unbalanced for the sector to roll out all the frameworks developed to improve service delivery in the country. LEPDA developed the following WASH policy frameworks:

- a) Sector Governance Reform Plan
- b) Sector Regulatory Framework

One of the critical reasons constantly pointed out by stakeholders responsible for sector governance fragmentation is the allocation of mandates to entities established by the legislature. Multiple sector mandates are assigned to numerous public entities; in most cases, the same or similar mandate is assigned to two or more entities. An example of the mandate on sector regulation appointed to the N-WASH Commission established in 2017 and 2016 amended Liberia Water and Sewage Corporation (LWSC) 1973 Act also gives the service provider regulatory

¹ USAID Country Development Cooperation Strategy (2019-2024) pp. 24-25

powers. To fix this confusion, LEPDA hired the legal services of a local legal law firm, the Institute for Constitutional Research Policy and Strategic Development (ICRPSD), to conduct a comprehensive legal analysis of all the WASH line Ministries, Agencies, and Commissions (MACs) and make an appropriate recommendation to the policymakers to either amend or repeal mandates that are responsible for the sector governance fragmentation.

LEPDA is now finalizing studies on the WASH private sector to complement these policy frameworks. This study's findings will inform the government and partners on effectively establishing a public-private partnership for sustainable and adequate WASH service delivery in the country. LEPDA facilitated regulatory training for N-WASH Commission Regulation and Compliance Staff and some staff from key sector agencies (National Public Health Institute of Liberia (NPHIL), and LWSC). This suggests that the N-WASH Commission's capacity is now built to roll out WASH regulations in the country. The relevance of the regulatory training for the regulator is for adequate and quality service delivery by all water supply and sanitation service providers in the country for consumer protection.

With the development of a WASH Regulatory framework, the sector is now positioned to encourage the full participation of private sector actors in the delivery of WASH services that will strengthen Public Private Partnership (PPP) for sustainable, adequate, and quality service delivery to all in the country. The findings of the study being conducted on "Enabling Environment with WASH Private Sector actors by two local civil society organizations, Partnership for Sustainable Development (PaSD) and Community Health Education and Social Science (CHESS), and supported by LEPDA will also inform government and partners how to engage private sector actors in WASH service delivery effectively.

In 2018, the Government of Liberia approved the Local Government Act (LGA), and it's taking the necessary steps to roll out the Act. When the Act is rolled out, some of the central government powers will be delegated to the sub-national level authorities in the counties.

For WASH to be effectively captured in the rollout of the LGA 2018, LEPDA conducted a study in two offices (Office of the County Superintendent and Office of the Mayors) in three counties, namely, Lofa, Grand Cape Mount, and Nimba Counties. The study objective was to determine the level of capacity at the subnational level to effectively provide oversight in budgeting, planning, execution, and implementation of WASH projects at the sub-national level. Findings from the LEPDA Rapid Capacity Assessment (RCA) indicate that there is minimum WASH capacity at the subnational level to perform effective execution of WASH programs. LEPDA also commissioned the development of a Policy Paper on WASH service delivery decentralization that will inform the government and partners on how to appropriately begin developing a national policy framework for effective WASH decentralization at the sub-national level.

II. MAPPING INSTITUTIONAL POLICY AND MANDATES

To understand the challenges that face water service delivery in Liberia, one first must understand the various entities involved in its provision. Multiple institutions, several with overlapping or unclear roles, complicate the sector. Table 1 below outlines critical stakeholders with legal or statutory mandates in the water sector management in Liberia and their functions based on policy/mandate/authority assigned by the legislature.

Table 1. Liberian Institutions and Water-related Policies/Mandates

Institution/Entity	Category of Policy or Mandate	Role in the Water Sector	Source of Policy/Mandate Authority
Ministry of Mines and Energy (MME)	Integrated Water Resources Management (IWRM)	Water Sector Policy Holder – responsible for monitoring the sector, enforcing compliance, and regulating issued permits for borehole drilling.	2006 703 Mineral and Mining Act of National Legislature
Ministry of Mines and Energy (MME)	Water Supply and Sanitation Policy (WSSP)	Serves as sector policy lead on sector governance reform	
Ministry of Public Works (MPW)	Water for People Mandate	Rural water and sanitation services	2007 Act of the National Legislature
Ministry of Public Works (MPW)	Liberia WASH Compact	Lead entity on the execution of Liberia WASH Compact	
Liberia Water & Sewer Corporation (LWSC)	Water for People Mandate and Policy	Water Service provider to urban cities and regulator	1973 Act of National Legislature (amended in 2016)
Ministry of Health (MOH)	General Public Health Services Mandate	WASH facilities in healthcare facilities	Revised 1976 Public Health Law
Ministry of Education (MOE)	General Public Education	WASH facilities and hygiene promotion in schools	None
Ministry of Internal Affairs (MIA)	Keep peace, law, and order Policy and Mandate Oversight of Local Government Institutions	Responsibility for implementation of the decentralization process in the 2018 Local Government Act that vests local governments with the responsibility for managing and carrying out development projects (including water supply)	2018 Local Government Act
National WASH Commission (NWSHC)	Water, Sanitation, and Hygiene (Water for People) Mandate	WASH subsector regulator and policy lead on Water management	2017 Act of the National Legislature
Environmental Protection Agency (EPA)	Water for the Environment Policy and Mandate	National Environmental Policy	Act of Legislature November 26, 2002, and printed into handbill in April 2003
National Public Health Institute of Liberia (NPHIL)	Water for People Policy and Mandate	Inherited the Division of Environmental & Occupational Health for sanitation and water. Water quality testing and monitoring	Revised 1976 Public Health Law
Governance Commission (GC)	All policies, including the water sector	None	October 9, 2007, Act of the National Legislature
Ministry of Finance & Development Planning (MFDP)	Financial Policy	Budget allocation	

Sources: Acts creating Ministries, Agencies & Commissions

The chart above clearly shows six public entities have policies or mandates for managing the country’s water sector. The Governance Commission (GC) serves as the principal Government of

Liberia's policy think-tank and found that the Ministries of Health, Education, and Internal Affairs also have mandates on water management through mandates that were assigned to them by the national legislature. This applies to the Ministry of Finance and Development Planning (MFDP). This is also causing double budgets as funds related to water sector activities are included in entities' budgets without specific mandates to implement sector activities. For example, the Ministry of Health has allocated public funds to construct water points and latrines in clinics at the subnational level. However, the Ministry does not have WASH experts to build WASH facilities.

To execute these functions, the Ministry of Health must hire the services of WASH construction experts from MPW or private actors to carry out the construction. The operation and maintenance of the facilities when construction is completed becomes the responsibility of MOH in collaboration with MPW. This sort of sector institutional arrangement leads to multiple budgeting for the same activities in the same sector. The bottom line is the lack of transparency and accountability in managing sector funds. If one entity, such as the Ministry of Public Works with a mandate to provide WASH services at the rural level, has the experts to perform such a task, that Ministry should give such functions to construct WASH facilities in all MOH-owned and operated clinics in the country. The involvement of MOE is similar to that of the MOH. The Ministry is fully responsible for the sustainability of the facilities, including WASH, which is provided for the operation of schools in the country.

Ministry of Internal Affairs is significant in providing WASH services to rural populations by providing and soliciting the necessary social cooperation for broad participation. The Ministry of Finance and Development Planning is responsible for financing water programs through internal or external funding.

In 2018, the GOL signed the Local Government Act (LGA) that empowers the National Government to decentralize its functions by devolving some central Ministries, Agencies, and Commissions (MACs) functions and delegating them to the sub-national level authorities. This would also mean detaching the positions of superintendents, mayors, and other MIA staff responsible for decentralized units of the Ministry or amending the Act of the Legislature, which established MIA to create a new entity to drive the decentralization program. The LGA specifically mentions services and programs from existing MACs to be delegated to the sub-national level.

III. BARRIERS TO SECTOR REFORM UNDERTAKINGS

Several barriers or challenges to adequate water service provision have developed in this landscape of multiple institutions playing roles in water service provision. For the past two decades, Liberia has continued to identify the bottlenecks in the water sector governance. A summary of challenges was cataloged in the Integrated Water Resources Management (IWRM) Policy (2007), the Water Supply and Sanitation Policy (2009), and the Liberia WASH Compact (2012), to mention a few. These bottlenecks continue to negatively impact the efforts of GOL and partners to increase WASH service delivery. In 2023, at a WASH stakeholder dialogue meeting, key WASH stakeholders, including the National Public Health Institute of Liberia (NPHIL), MPW, NWASHC, MFDP, and others, identified the assignment of conflicting mandates to public entities as a reason for low WASH service delivery lack of accountability, inadequate capacity, and fragmented governance.

A. CONFLICTING/DUPLICATE SECTOR POLICY & STRATEGY/MANDATES

The existence of duplicate and conflicting sector policies, strategies, and mandates breeds the effective lack of cooperation and coordination among WASH public entities. Many blame the Liberia National Legislature for the enactment of such policy instruments. A clear recent example is the duplication of the WASH regulatory authority to two entities, NASHC and LWSC, with the latter being a service provider or operator of public utilities in the country. In 2022, NASHC had a budgetary allocation of USD 250,000 by GOL to implement a community sanitation project. This further proves the level of duplication of functions by sector entities, as NASHC, which is supposed to be the sector regulator, is getting involved in the implementation of projects.

The importance of an inclusive WASH program is to ensure that programming considers that services should include drinking water, sanitation (construction and use of latrines), and hygiene promotion (practices that lead to enhanced, improved health) of both communities and individuals. One area of concern is the community-led total sanitation (CLTS), with NPHIL taking the lead in the implementation. Sometimes, the program is implemented in the communities where partners or GOL constructs latrines. CLTS is a WASH soft component program that requires less financial input or subsidy.

B. LIMITED ACCOUNTABILITY AND REGULATIONS

The co-existence of conflicting policies, strategies, and mandates also impacts accounting for the responsibilities and functions of sector actors. One area that continues to be causing conflict is the issuance of permits, licenses, and clearances by entities of GOL to operators of WASH services. An outstanding bottleneck identified is the requirement for service providers to get operational permissions from nearly all the entities, including the Environmental Protection Agency (EPA) and NPHIL, NASH Commission, MPW, and MME.

Budget allocation to these GOL entities comes with separate and duplicate policies, strategies, and mandates. Some entities are non-water sector institutions that also receive budgetary allocations from GOL intended to implement WASH projects or carry out regulatory functions. According to the recent Joint Sector Review Report (JSR), GOL financed the WASH sector between 2019 and 2023 through myriad entities, such as the Ministry of Youth and Sports (MYS) and several city corporations, that do not necessarily have clear WASH mandates but have WASH budget lines like Ministry of Youth and Sports as stated in the JSR report above. As a result, clearly defining national-level WASH funding through public expenditure tracking or accountability for public funds that go to the sector for project implementation becomes problematic.

C. LIMITED AND INADEQUATE CAPABILITIES

The water sector MACs are identified as having limited and inadequate capacity to address technical and administrative issues due to the conflicting mandates described above. Water sector institutions are also characterized as having low capacity in human resources and low performance, which is undermined by political influence that results in employment. For example, in contrast to having a small and trained staff to run the NASHC, the entity has been shouldering the burden of over 80 staff, compelling it to devote most of its annual allocation from the National Budget to paying only salaries.

The prospect of decentralizing the NASH Commission to the sub-national level has slowly dissipated as the Commission's employees are all Monrovia-based. Similarly, LWSC has over 331 employees, 81% based in the Monrovia Office. A 2021 LWSC Cost and Revenue Analysis

conducted by LEPDA indicates a low level of staff performance. The payment of wages to unproductive staff by the management of LWSC leaves little room for the expansion of service delivery.

In January 2022, the International Journal of Engineering Applied Sciences and Technology Vol. 6, issue, pp 53-60 also reported that the current state of LWSC relative to production capacity to meet the growing demand for safe and clean water by customers in Monrovia remains a challenge for the corporation. The Journal reported that the utility is overstaffed with relatively low household connections. This results in shallow revenue generation by LWSC, thus making it a non-viable entity and a total liability to the Government of Liberia. The Journal also recommended using renewable energy instead of diesel fuel generators and reducing staff to match the current revenue generation.

Other water sector-related MACs also have human capacity challenges. Liberia's WASH sector, like other sectors, is suffering from a brain drain because of the civil war that broke out in the country in December 1989. The civil war lasted for nearly 15 years. It ended in August 2003 through the Accra Peace Accord negotiated by mediators, signed by warring factions, political parties, and civil society organizations in Accra, Ghana, and witnessed by the international community. The Accra Peace Accord brought back peace and relative political stability that produced in 2005 a democratically elected Africa's first Female President, Madam Ellen Johnson Sirleaf.

During the country wars years, many WASH professionals either fled the country and took residence in other countries as refugees and never returned, and some were killed during the war. The few that returned from refugee camps either moved to the private sector or lost interest in working as WASH professionals in WASH Ministries, Agencies, and Commission due to the low incentive offered by the Government of Liberia. Another factor is that many WASH professionals are no longer physically active to perform their roles as sector professionals.

Another factor is the lack of interest by the GOL in investing in the human capital sector. An attempt was made by the sector stakeholders in 2012 to develop a five-year Sector Capacity Building Plan 2012-2017. It was then anticipated that by 2017, GOL would have trained at least 500 WASH professionals locally to fill in the abovementioned gaps. GOL took no action to implement the sector capacity plan.

D. FRAGMENTED POLITICAL GOVERNANCE AND LEADERSHIP

The water sector has many public institutions involved with the sector's governance, resulting in limited access to adequate funding for the implementation of projects. During the budget formulation period, the National Legislature finds it challenging to allocate sufficient funding for the sector since multiple entities with the same or similar mandates for the sector governance require financial resources from the Central Government to implement their projects. For example, it is typical to expect the roads or infrastructure to be represented by MPW or the health sector by MOH. In the case of water, it has been observed that the National Legislature would instead hold discussions with LWSC because water service delivery forms the core function of this urban water utility. The next in line to represent the water sector is the MPW, which is mandated to implement the National Rural Water Program (NRWP). However, water and sanitation are not the core mandate of MPW, at least from the perspective of the budget hearing. This results in a dilemma, and the advocacy necessary for budgetary allocation to the water sector is lost. The National

Legislature has a “WASH Caucus,” an ad hoc arrangement comprising a few members from both Houses of Representatives and the Senate. This ad hoc committee makes no significant legislative decision favoring the sector improvement.

At the same time, Liberia is mainly not represented at most international water functions because the country does not have a single entity to represent the sector. The ability to define and present a WASH national agenda to Cabinet Meetings to inform budget preparation is also lacking at the national level. The leadership of the water sector vested in the NWASHC provides an unbalanced representation of the sector. Although short-term recommendations are being proffered, the WASH Legal Analysis, supported by LEPDA and funded by USAID and conducted by the Institute for Constitutional Research, Policy, and Strategic Development (ICRPSD), made the long-term recommendations for the establishment of a Water Ministry as a solution for a single Water Sector Leadership. Although this solution is anticipated to reduce the duplication of mandates in the current governance, it will require massive investment in financial and human resources from GOL.

IV. POLITICAL & ECONOMIC INCENTIVES

Although there are several barriers in the water sector, there are also various incentives for sector improvement through funding from development partners. However, there seems to be limited political will to actualize complete sector governance reforms.

A. POLITICAL INCENTIVES

Acts of the National Legislature create all MACs and are, therefore, laws. An interference or any condition created by another sector MAC to hinder the performance of another can lead to a court hearing. The Policy Development Planning Framework (PDPF) is based on collaboration and consensus-building in proposing amendments or creating new policies to abolish such situations.

In terms of the spread-out or duplication of mandates, the water sector functions MACs more than functions of other sectors, such as health, which is only assigned to the Ministry of Health. Properly structured water sector leadership can create political leverage for attracting funding and instilling proper oversight and authority to seek accountability. Streamlining the water-related functions and mandates of MACs could reduce Government expenditure as duplicate functions can be eliminated, and savings could be directed to extending services to underserved populations. A single water sector budget under a single entity can enhance the process of accountability, reduce the waste of scarce resources, improve human resources and capacity use, and improve accountability and transparency.

Stakeholders, including partners, envisaged that establishing the National Water Supply and Sanitation Commission (NWASHC) would have improved the sector’s fragmented governance structure. However, since the Commission was established in 2017 and operational in 2018, it has not implemented many of the recommendations in the Integrated Water Resources Management and Water Supply and Sanitation Policies. The sector seems to have sufficient national-level policies that could be replicated to support regulatory functions in rural areas of the country. NWASHC should be leading on effective regulation, but it is not doing so. The Commission leadership has not demonstrated sufficient willpower to implement its procedures fully and in line with the Act that created the entity.

B. ENHANCED PARTICIPATION OF WOMEN AND GENDER DIMENSIONS

Currently, women have very little involvement in WASH decision-making. Unfortunately, even at the community level, women's voices are highly considered or included in making decisions for constructing WASH facilities such as water points and latrines for communities. The water points are usually broken down because they were poorly built or did not reach the required depth for continuous water recharge for the communities. Thousands of those water points are left abandoned in the community. This is another factor that led many rural communities to revert to using unsaved water. Most women also abandon the water points because of the location of the facilities. In traditional Liberia, women in rural communities fetch water from creeks/rivers far away from their communities. The involvement of women in the sighting of the water points and sustained behavioral change campaigns could be agents of change for the rural women to access safe drinking from the water points in the center of the communities.

At the national level, where decisions are made on WASH, women are conspicuously neither around the table nor at the head of the table. Since MPW assumes the role of WASH service delivery at the rural level of the country, no woman has been appointed as an assistant minister for community services, the department responsible for WASH in MPW. Liberia Water and Sewage Corporation (LWSC), the largest urban public utility in the country, does not have a woman on its management team. Lastly, the newly established National WASH Commission has two key high-level positions: Chief Executive Officer and Executive Director. Again, women are not in any of these positions.

Over the years, the water sector has failed to attract qualified females into its leadership cycle, thus creating further neglect for balanced gender inclusion in decision-making. There is no clear evidence for this. The only explanation for the lack of attraction of qualified female professionals in the sector is partly due to the number of female enrollments in schools. Historically, girls were denied attending formal schools, while their parents allowed boys to participate in formal schools. As latecomers, many qualified female professionals primarily study nursing instead of environment sciences, accounting/management instead of hydrology and engineering.

Although the dynamic is slowly changing, with few females graduating with degrees in hydrology and engineering from local universities, females taking up positions in the WASH sector as professionals remain the same. This is probably due to the low incentive GOL offers to WASH professionals, which could be why most females look elsewhere for employment.

One can only hope that the ongoing LEPDA effort to do a comprehensive legal analysis of the sector's conflicting mandates will also consider in the amendment and repealing of mandates how qualified women should be encouraged to participate in WASH decision-making at every level of the country. Another opportunity that could promote more female professionals to join in the sector activities at various levels is the effective implementation of the Local Government Act 2018. The Act seeks to roll out most of the national public service provision, including WASH, to the sub-national level. The local governments will oversee the planning, budgeting, and implementation of WASH projects at the subnational level. It provides a perfect chance for qualified female professionals to participate in the sector activities. If the Local Government Act 2018 is effectively rolled out and decentralization is operational by policymakers, the following will be the outcome of such action by the national policymakers:

- Equitable and inclusive water service delivery.
- Increased use and sale (revenue generation) would enhance the services' sustainability.

- Protection of the infrastructure to improve system longevity.
- Proper maintenance and use of the water services delivery systems.

C. ECONOMIC INCENTIVES FOR PRIVATE SECTOR PARTICIPATION

A significant component of the proposed reform plan is to create an enabling environment for the active participation of the private sector in service provision. The involvement of private sector actors in providing WASH services is slow. Still, it can improve if the recommendations come from the ongoing LEPDA legal analysis of conflicting mandates of public WASH entities by Liberian policymakers. To date, IWRM and WSSP are policy documents that set the platform for sector governance reform, resulting in the establishment of the National WASH Commission by the national legislature. It is also suitable to mention here that the USAID/LEPDA project is the only project that has supported the drafting of handy sector reform policies expected to improve the performance of NASHC.

Incentives for private sector participation in WASH service delivery include:

- Job creation.
- Expansion of WASH products/ services and markets.
- Increased revenue.
- Effective and efficient provision of quality and social services.
- Scale up the WASH infrastructure within the PPP.
- Addressing financial barriers for low-income households, particularly women and marginalized populations, by adopting the proper tariff schemes.

Current efforts should be geared toward exploring the interest of entrepreneurs and businesses to deliver quality services to end users and consumers. Key recommendations from international initiatives should be considered:

1. Finance: improve access to loans and credits for WASH private firms to enable companies to invest in up-to-date equipment, expand, and become more efficient.
2. Reduce bureaucracy: speed up decision-making in awarding contracts and for flexible implementation. Delays and bureaucracy drive up prices and frustrate local services.
3. Improve private sector performance: to address weaknesses that increase delays and costs and reduce quality. Some private sector bottlenecks are self-inflicted, such as underbidding to win contracts, which they cannot deliver on time to the right quality standards.

Efforts to achieve the Sustainable Development Goals must be aggressively pursued by engaging the private sector in WASH service delivery at all levels of service provision. Priority actions could include:

- a. Improve policy, laws, and regulations that set clear rules of engagement and incentives for the private sector. Private sector firms must be incentivized in the form of tax exemptions.
- b. Share costs with WASH businesses in the first three to five years of operation, specifically management costs and asset acquisition.
- c. Support research to develop and promote more affordable and appropriate technologies.
- d. Increase business development services (such as capacity development of private sector partner staff in WASH service delivery) for small- and medium-sized enterprises.

- e. Improve the provision of low-cost financing for businesses and consumers while stimulating consumer demand and behavior change.
- f. Develop a more business approach focusing on WASH.

V. WASH SECTOR REFORM PLAN GAPS

The reform efforts should engage in other areas of water-related development, including the future drafting of a water law for the country for legislative approval. The water law will promote cooperation in the management of transboundary water resources. Considering that nearly all the country's six primary river sources are from other countries, there is a need for a water law to guide the country in managing the resource. It will serve as a basis for developing and empowering river basin management. It will also encourage more robust trans-river basin management, resulting in future large hydroelectricity generation, mechanized agriculture, and water transport activities.

However, the WASH sector reform analysis will inform the Improve Access to Safe Drinking Water Activity in Liberia, mainly how to engage the Local Government Institutions (LGIs) to manage private-public partnerships (PPPs) at the county level for water service delivery. This will improve water service delivery at the sub-national level and reduce the bureaucratic button-neck of multiple national institutions in planning, budgeting, and implementation for the counties. With the proper awareness and coordination by the LGIs, especially for the sustainability of water facilities through pay-for-service, the rural water schemes last longer. Hence, the reform required for this is for national institutions to delegate and devolve service delivery to the sub-national authorities and to transfer some of the institutions' trained human resources to the sub-national level to support the LGI in improving water service delivery.

VII. RECOMMENDATIONS

The USAID Improved Access to Safe Drinking Water Activity has a component of its work that focuses on capacity building of Local Government Institutions (LGIs) and supporting the process of sector decentralization that will create an enabling environment for ownership of WASH services delivery facilities by local government structures. The foundation upon which this objective can be achieved is through the acceptance and approval of LEPDA's legal analysis of conflicting mandates in the water sector.

Therefore, the USAID-funded programs should continue to support the NASHC and the water sector stakeholders at the national and sub-national levels, depending on each project focus. Specific support should include the following:

- Strengthen the capacity of the Policy Unit Team (PUT) capacity to support either the replication of national policies or formulate new policies that will help Local Government Institutions manage PPPs in water service delivery at the county level. A performance review of the PUT will be conducted before identifying gaps that need strengthening.
- Support CWTs at the sub-national level in establishing institutions that will support the sustainability of water infrastructures in communities.
- Support the NASHC in its coordination role in policy, regulation, and bylaws at the sub-national level for local government institutions in WASH sector service delivery.

- Support the NWASH Commission and stakeholders' capacity to improve coordination and collaboration mechanisms at the sub-national level that, including Local Government Institutions (LGIs), enable the NWASH Commission to effectively lead the implementation of sector regulation.
- Provide capacity building for local government institutions (LGIs), actively facilitate sector coordination, and implement advocacy campaigns to increase sector funding at the subnational level and targeted at county councils.
- MIA – actively leads and coordinates the decentralization process for water service delivery at the national level.
- Partners should support CSOs to lead a sustainable policy change advocacy for the amendment of the WASH Commission Act of 2017 and give it an actual commission status with full commissioners that should direct responsibilities on each WASH sector, water, sanitation, hygiene, and rural and urban levels.
- County Governments – Strengthen the Community Water Committees (CWCs) in water service delivery at the community level.
- Community WASH Committee- Provide capacity building/mentoring to CWCs to make them professional in supporting the local government institutions in regulating community-based enterprises (CBEs) and water service providers at the community level.
- CWTs- partners support and strengthen County WASH Coordination at the county level.
- LGIs and WASH actors - Annual Joint Sector Review to strengthen sub-national and national leadership accountability.
- Support private sector investment initiatives at the sub-national level to reduce financial barriers for low-income households and poor or marginalized people in communities.
- Support women and marginalized people's participation as water users (decision-making related to water access and management) and entrepreneurs.
- GOL and partners should review all the expired sector policies, such as the Integrated Water Resource Management policy (IWRM), WASH Compact, WSSP, etc., and revise them to meet the current reality.
- GOL should dissolve the current WASH Board through an executive order by re-activating the National Water Resources and Sanitation Board (NWRSB) for broader sector representation. This will fully represent the interests of all categories of water users in the country, not just water for people.
- Ensure that through an appropriate public entity (WASH Legislative Caucus), GOL implements all the policy recommendations from LEPDA Legal Analysis to reduce the current duplication of mandates assigned to national public entities in the sector.
- For improved service delivery of WSS at the county level, the national legislature should consider the role of private sector actors in encouraging stronger and more effective water service providers. Consider Public-Private Partnerships for the operation and management of water Service delivery at the community level.
- Ensure that in the new Commission Act, decentralization of the Commission at the sub-national level in the counties is necessary to increase service delivery at the rural level.

VI. CONCLUSION

To improve WASH sector governance in Liberia, there is a need for the collaboration of all local stakeholders who are end users of WASH services to positively engage policymakers in the country to prioritize improving sector governance. For the last decades, the government has taken steps that resulted in establishing the N-WASH Commission, which should narrow the duplication of mandates and improve the sector's leadership. This move has not made much difference to service delivery in the country.

Therefore, the following recommendations, if considered by policymakers, will further reduce the current sector governance fragmentation:

Multiple institutions with overlapping policies, strategies, and mandates continue to exist in the WASH sector. The situation inhibits performance, creates conflicts, and lacks accountability for performance and expenditure. The underfunding of the sector is as severe as the lack of accountability for funding provided from domestic revenue, although external financing seems positive.

Suppose GOL resolves this situation in the short term. In that case, the sector financing will remain unaccounted for, and public entities will continue to double-charge for service delivery by both development partners and other interested groups such as faith-based institutions.

The current water sector leadership has proven incapable of representing a subsector of water actors. An array of documents was produced that analyze the bottlenecks leading to underperformance, and the lack of coordination and cooperation among sector actors points to the lack of a clear governance structure, decentralization plan, and regulatory reforms. Therefore, governance, structural, and regulatory reform is the remedy.

SOURCES

1. Integrated Water Resources Management Policy, 2007
2. National Water, Sanitation and Hygiene Commission Act, 2017
3. Act creating the Department of Rural Development and Community Services, Ministry of Public Works
4. Act Adopting a New Minerals and Mining Law, Ministry of Lands and Mines, April 2000
5. Act creating the National Public Institute of Liberia, Ministry of Health, 2016
6. Act creating the Environmental Protection Agency, November 2002
7. Ministry of Education, Education Reform Act of 2011
8. Act creating the Ministry of Health, 2015
9. Act creating the Governance Commission, 2007
10. Improved Access to Safe Drinking Water in Liberia Activity, Winrock International, 2022
11. USAID-Liberia Economic Policy Dialogue Activity Year 4 Work Plan, 2022
12. LEPDA WASH Policy Formulation Process Steps
13. Budgetary Support – WASH Subsector (2019 – 2023), Government of Liberia sector financing LEDPA-LWSC Cost and Revenue Analysis Report
14. LEPDA WASH Legal Analysis

