

# Accountability for water supply and sanitation in Zambia

## Findings of the Fair Water Futures programme



### Summary

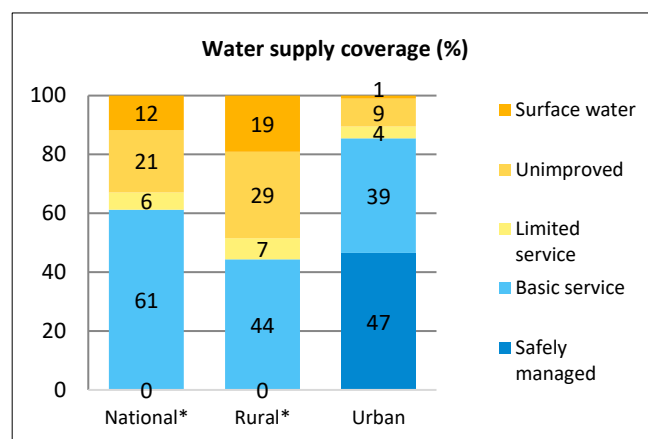
This brief explores the effectiveness of Zambia’s framework for water supply and sanitation provision, assesses current levels of institutional performance, identifies gaps in accountability in the sector, and gives the following recommendations for improving accountability and management in the delivery of water supply and sanitation services:

- The Ministry of Water Development, Sanitation and Environmental Protection must adopt and implement regulations for sanitation and rural water supply.
- The Water Resources Management Authority (WARMA) must finalise and implement groundwater regulations to protect groundwater resources from contamination and over abstraction.
- WARMA must finalise and implement a statutory instrument to license borehole drillers, register new and existing boreholes, and collect and manage borehole completion reports.
- The National Water Supply and Sanitation Council (NWASCO) must integrate sanitation coverage into Service Level Guarantees (SLGs) and Service Level Agreements (SLAs), issue directives to water and sanitation utilities that fail to meet conditions of their SLGs and SLAs, and disclose issued directives to the public.

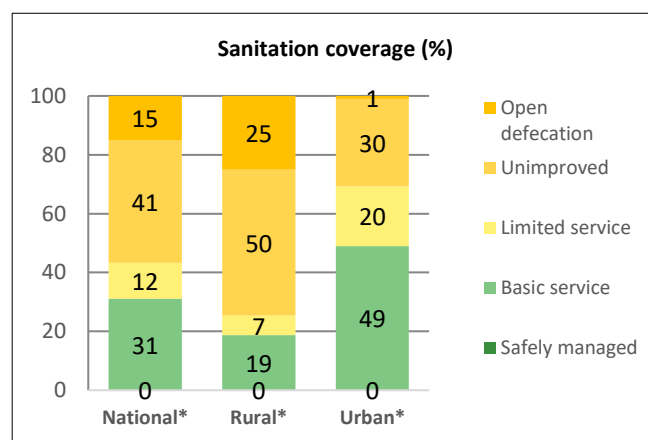
### Introduction

Under the new Seventh National Development Plan (7NDP), Zambia seeks to enhance the management and provision of water and sanitation services through local authorities and commercial utilities. The 7NDP also aims to mainstream the aspirations of the Sustainable Development Goals (SDGs) into national planning, including SDG 6 which aims to achieve “universal and equitable access to safe and affordable drinking water” and “access to adequate and equitable sanitation and hygiene for all”. Under the

previous Millennium Development Goals, Zambia made limited progress on improving access to water and sanitation, especially in terms of sanitation and the provision of water and sanitation services in rural areas (JMP, 2015).



Water supply coverage in Zambia in 2015 (JMP, 2017)



Sanitation coverage in Zambia in 2015 (JMP, 2017)

Business-as-usual approaches will not be sufficient to meet the ambitious targets of SDG 6, and honour the country’s commitment to the human right to water and sanitation. To improve the management and provision of services by local authorities and commercial utilities and address areas which have lagged behind, including sanitation and rural service provision, the country must address the accountability gaps in the sector.



## Findings

Through a programme of action research, the Fair Water Futures (FWF) programme has explored the level of accountability in Zambia's framework for water supply and sanitation provision through the case studies of Chingola, Lusaka, Chongwe and Sikaunzwe, where vulnerable communities are severely impacted by inadequate water supply and sanitation provision. The team collaborated with community representatives from case study communities to understand their water security challenges, and the relevant laws, policies and responsible institutions. By supporting community representatives to take action by calling on duty bearers to fulfil their institutional mandates and tracking the response, as well as convening with government partners, reviewing existing literature, analysing available resources, and conducting key informant interviews, the Fair Water Futures programme has gathered evidence of institutional performance on WASH provision, gaps in accountability, and some of the bottlenecks to effective delivery.

### Service Level Guarantees

The Water Supply and Sanitation Act No. 28 of 1997 requires water supply and sanitation utilities to provide efficient and sustainable water supply and sanitation services under the regulation of NWASCO. NWASCO is responsible for licensing, regulating and monitoring commercial utilities to ensure that they adhere to the provisions of the Act. To ensure that they provide efficient, affordable and sustainable services, NWASCO requires utilities to guarantee a minimum level of service in a Service Level Guarantee (SLG). Where utilities are not meeting the targets set in their SLG, they are required to formulate a plan which sets out progressive improvements towards meeting the targets in an agreement with NWASCO, called a Service Level Agreement (SLA). NWASCO develops guidelines, imposes tariff conditions, and issues directives to ensure utilities comply with their SLGs and SLAs.

However, it is unclear to what extent SLGs and SLAs have driven improvement in service provision, and what the criteria are for NWASCO to issue directives or impose conditions on utilities that fail to meet their SLGs or SLAs. In many cases, as is exemplified in Box 1, NWASCO has not disclosed any major directives to utilities that have continuously failed to meet the

conditions of the SLGs and SLAs. This raises serious questions about accountability for efficient and sustainable service provision.

### Box 1: Service Level Guarantees in Chongwe

For the last three years, 2014-16, Lusaka Water and Sewerage Company (LWSC) has failed to meet the conditions of its SLG and SLA for the people of Chongwe in terms of number of water supply hours, and interruptions to water supply, due to the drying of the Chongwe dam, which supplies raw water for the LWSC treatment plant (NWASCO, 2014, 2015, 2016). However, despite LWSC's continual failure to provide adequate water supply in Chongwe and meet the conditions of its SLG and SLA, NWASCO did not disclose any major directives during the period of 2014-16 for LWSC to address the water shortage (NWASCO, 2014, 2015, 2016).

### Regulation of rural water supply

Under the Water Supply and Sanitation Act No. 28 of 1997, local authorities are responsible for providing water supply and sanitation services in the area falling under their jurisdiction. However, many local authorities struggle to deliver rural water supply, in part because there is a lack of standards and guidelines for borehole drilling and siting procedures, or a system to collect and manage drilling data, as well as a lack of regulations to hold local authorities accountable (Skat Foundation, 2016).

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*“for rural water, the lack of effective common standards (for instance for boreholes in different geo-hydro conditions), methods of evaluating technology choices, regulatory oversight and fully functional M&E systems, hinder optimal management of the rural WSS provision” – Ministry of Local Government and Housing, 2015: 22*

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While NWASCO has begun developing a regulation strategy for rural water supply, which offers an opportunity for enhanced accountability, it has yet to be adopted.

### Resources and capacity

Funding for local authorities to deliver rural water supply is often provided on a project basis, with limited operational budget to oversee projects and monitor coverage (Chongwe District Council, personal

communication). As the Ministry of Local Government and Housing (2015:21) has noted, the capacity of local authorities to deliver rural water supply “is generally compromised by the mismatch between their mandated functions and the resources available to them to undertake those functions”.

### Borehole drilling

With limited capacity to oversee borehole drilling and the absence of standards and regulations, local authorities are at the mercy of drilling companies, who are themselves unregulated, but have recently self-organised to form the Drillers Association of Zambia.

Under Section 93 of the Water Resources Management Act, the Water Resources Management Authority (WARMA) is responsible for protecting groundwater, and under Sections 88, 89, and 92 WARMA is responsible for licensing borehole drillers and maintaining a register of licensed operations, while the Minister has the power to prescribe criteria and qualifications for drillers to ensure quality and integrity. Under Sections 99 and 100 of the Act, a person drilling a borehole is required to submit a borehole completion report to WARMA, which is to include important groundwater information, and WARMA is responsible for keeping a register of all boreholes. While WARMA has begun developing groundwater regulations and a statutory instrument to license drillers and register boreholes, they have yet to finalise or implement either.

### Box 2: Rural water supply in Sikaunzwe, Kazungula

Sikaunzwe Ward is in the vast rural district of Kazungula, where only roughly half the population has access to a safe and sustainable water supply. Access to water is especially challenging in Sikaunzwe, as most groundwater resources in the Ward are saline. Due to the shortage of water supply, residents are forced to travel as far as 15 kilometres, and spend upwards of 6 hours a day collecting water from unprotected sources such as burrow pits and dambos.

With limited resources and personnel, the Council struggles to oversee the drilling of boreholes, and monitor rural water supply coverage. Furthermore, without regulations to ensure the proper siting and construction of boreholes, and a means to ensure drillers are qualified and accountable for their work, the Council often wastes its limited resources on drilling boreholes which yield saline water, or no water at all.

### Sanitation

While water supply and sanitation utilities are required to provide efficient and sustainable sanitation services under the Water Supply and Sanitation Act No. 28 of 1997, the provision of sanitation services has lagged far behind water supply. As of 2016, only 44.4% of the population served by commercial utilities were connected to sewer networks (NWASCO, 2016). To date, NWASCO’s mandate has included regulating the provision of piped sewerage in urban areas, leaving a major gap in the regulation of on-site sanitation and sanitation services in rural areas. Furthermore, coverage of sanitation services is not included in the indicators for formulating SLGs and SLAs for utilities. While NWASCO is currently developing a strategy to regulate sanitation services, it has yet to be adopted.

### Box 3: Sanitation in Lusaka

In Lusaka, only 17% of the population served by Lusaka Water and Sewerage Company (LWSC) is connected to the sewer network (NWASCO, 2016), and it is estimated that only 25% of the city’s sewage is properly treated (LuWSI, 2016). In the absence of sustainable sanitation services, many residents rely on unregulated on-site sanitation facilities like pit latrines, which are a significant source of groundwater pollution and contributor to waterborne diseases such as cholera, typhoid and diarrhoeal diseases. Nowhere is this more apparent than in peri-urban areas like George and Kanyama compounds, where up to 95% of residents rely on pit latrines (WSUP, 2015).

### For a fair water future...

The creation of the new Ministry of Water Development, Sanitation and Environmental Protection offers an opportunity to address accountability gaps in water supply and sanitation sector, and enhance coordination between key institutions like WARMA and NWASCO. To seize this opportunity and improve delivery of water supply and sanitation services, it is recommended that:

- The Ministry of Water Development, Sanitation and Environmental Protection must adopt and implement regulations for sanitation and rural water supply.
- WARMA must finalise and implement groundwater regulations to protect groundwater

resources from contamination and over abstraction.

- WARMA must finalise and implement a statutory instrument to license borehole drillers, register new and existing boreholes, and collect and manage borehole completion reports.
- The National Water Supply and Sanitation Council (NWASCO) must integrate sanitation coverage into Service Level Guarantees (SLGs) and Service Level Agreements (SLAs), issue directives to water and sanitation utilities that fail to meet conditions of their SLGs and SLAs, and disclose issued directives to the public.

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