



# Improving the governance of rural water points in Wajir County

## In brief

Despite large investments in water development and the decentralisation of water service delivery, Wajir County residents continue to face problems of water scarcity. In the last five years, national and county government have drilled almost 200 hundred boreholes across the county, yet many lack effective management, and suffer frequent breakdowns and long repair times. Some are not functional within two years of establishment, questioning the sustainability of these investments. This is leading to low water availability for people and livestock, particularly in the dry season, threatening their livelihoods and weakening their resilience. This brief explores the governance challenges at the heart of this problem and gives a number of recommendations to improve water governance and management in Wajir County.

## Wajir Water Sector

Following devolution under The Constitution of Kenya 2010, the provision of water now sits with the county governments. This has brought benefits and challenges. While leading to the establishment of new water investments and service delivery to the local level, the increase in the number of actors involved, such as the recently formed Wajir County Water and Sewerage Company (WAJWASCO), has created some confusion due to overlapping jurisdictions across levels.

Emphasis on the construction of new water points in Wajir has increased the number of boreholes from 98 to 272, and the number of water pans from 206 to 260, between 2013 and 2018<sup>1</sup> (see Figure 1). Although helping to improve access to domestic water, the placement of water points has not considered the dynamics of pastoral production, the dominant economy of Wajir on which over 70% of the population depend<sup>2</sup>. New water points are being developed without consideration of livestock mobility and the management of wet and dry season grazing areas. Water points are also contributing to the mushrooming of new settlement areas currently evident across the county.

As the county government develop a new water bill to guide water development in the county, this brief provides evidence<sup>3</sup> to inform more sustainable and inclusive water development and governance practices in support of resilient pastoral livelihoods.

1 As reported in the Country Integrated Development Plan (CIDP) for 2013-2017 and the CIDP for 2018-2022.

2 The Wajir CIDP 2018-2022.

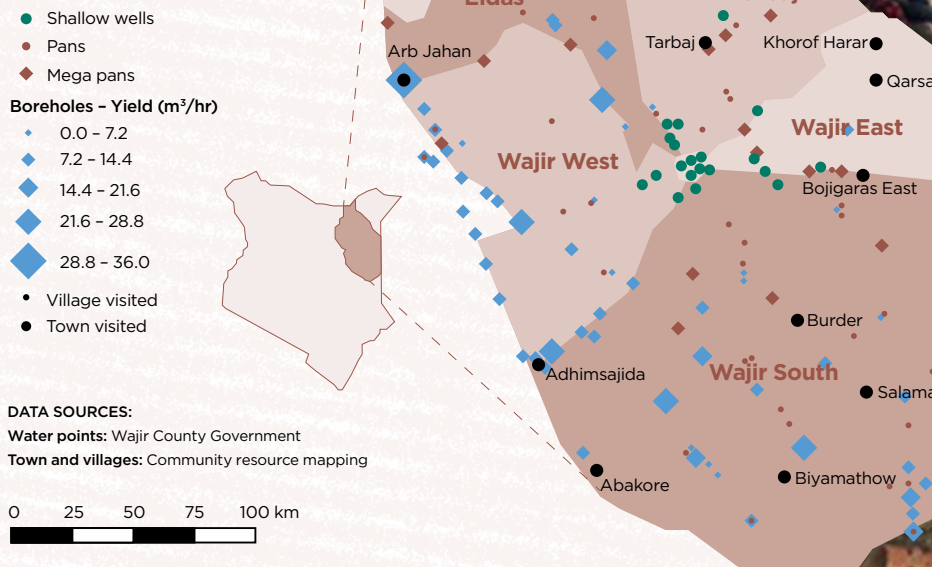
3 In October 2018, the Wajir County Water Department led a study to understand the key challenges underlying domestic and livestock water security in Wajir County. The study was carried out in collaboration with WAJWASCO, Mercy Corps and IIED. Sixteen rural water points sites (including boreholes, shallow wells, water pans) were visited and interviews held with water point operators, male and female community members, herders, community leaders, and other water sector actors, including government, and NGOs. National and county water policies and other legislative documents were also reviewed.



COUNTY GOVERNMENT  
OF WAJIR



**Figure 1: Map showing Wajir's water points and the 16 sites visited during the water governance study**



## Water Governance

Wajir County Government is responsible for ensuring access to clean water for household, livestock and other needs. WAJWASCO manages water service delivery in Wajir town and 15 other rural towns. Outside the main towns, Water User Associations (WUAs) play an important role in the community-based management of rural water supplies. There is an identified gap in policy with little inclusion of WUAs in national or county legalisation<sup>4</sup>. In Wajir, this has led to a lack of clarity on the roles and responsibilities of WUAs, and poor governance structures.

### The following challenges were highlighted in the existing institutional structures:

#### Operation and maintenance (O & M)

- There is over reliance on one central county O & M team leading to inefficiencies and irregularities in service delivery and breakdown repairs across a large county.
- There are a lack of trained O & M staff in the water department which precludes the timely and effective functionality of the department.
- WAJWASCO faces challenges of low institutional, financial and technical capacity, and commonly relies on the county water department for technical assistance and purchasing of spare parts.

- Different water tariffs across management systems result in many water users feeling they are being overcharged for water.

#### Weak presence on the ground

- Subcounty water officers who are mandated to coordinate water activities in their subcounties, are based in Wajir and are not regularly and physically present in their areas. This is because resources are not sufficiently devolved to the subcounty level.
- WAJWASCO is not well integrated at the community level. There was little community participation during the formation of the company leading to any unwillingness of many communities to hand over their water supply systems.

#### Social accountability

- WUAs have low accountability, both downward to the community level and upward to the county level. This is associated with low financial transparency, lack of feedback to the community or county water department, and irregular WUA committee elections. Committees are susceptible to being composed of community elites, lack female members, and are sensitive to clan and political issues.

<sup>4</sup> Water resource user associations (WRUAs) are included in the Kenya Water Act 2016, but these groups manage the water resource rather than water service delivery as is the case for WUAs.



- WAJWASCO also suffers low social accountability. The community are rarely consulted on management issues and are not clear on how their water fees are being used.
- Although rare, management by a private operator appeared to work well. The community reported transparent financial accountability and good communication between the community and operator.

## Weak community voice in water development

- Wajir County residents' priorities are not being taken into account in the establishment of water projects. They are usually only informed during the implementation or commissioning stages of a project, rather than in decision-making during conceptualisation. Water projects are initiated by politicians and then driven by contractors. As a result, they do not always address local priorities.
- Pastoralists have little voice in decision-making because they are often out herding livestock, and are rarely consulted on water or any development issue. Women have no voice in decision-making and are not consulted at all. This is a particular failure as women are responsible for domestic water provision.

## Water development, settlements and rangeland management

The placement of new water points is not being made according to livestock mobility and the seasonal use of grazing pastures. This is due to a lack of coordination between the county water and livestock departments, as well as a lack of consultation with pastoralists.

Instead, water points are being developed according to the political mushrooming of settlements as local politicians seek to increase their power. This is having the following impacts:

- The seasonal movement of livestock is becoming increasingly less defined.
- Water points placed in dry season grazing pastures are encouraging the degradation of these pastures.
- Water points that offer a year-round supply of water are encouraging permanent settlement, large numbers of livestock, and the overgrazing of wet season pastures.

- There is increasing congestion, interclan conflict, and disease incidence at water points.
- The mushrooming of new settlement areas is making it difficult to plan water development priorities.

To avoid the overgrazing of pastures close to water points, local rules specify that in the wet season herders should move 10Km beyond the periphery of the town to graze. Beyond these rules, pastoralists reported few customary institutions governing the use of pasture and water.

## Policy recommendations

Given the above findings, the Wajir County Water Department have identified the following measures to be addressed by the County Water Bill as well as the upcoming development of the Wajir County Spatial Plan:

### Water governance

- Strengthen water governance beyond the current focus on water development. This should clearly define the roles and responsibilities of the different institutions involved in the water sector.
- Develop stronger coordination between the different institutions in the water sector to avoid repetition and conflict, and maximise efficiency. This includes between; national and county governments, county livestock and water departments, WAJWASCO and WUAs, as well as all water sector actors.
- Devolve O & M to the subcounty level to provide faster and more-effective service delivery. Strengthen subcounty level structures and resources so each subcounty has a small team of well-equipped and trained staff, and subcounty water officers are based in their subcounties.
- Support greater institutional strengthening of WAJWASCO by reviewing their structures, policies and functions. This includes incorporating greater social accountability measures, providing more consultation and feedback to water users; more transparent use of water fees; and greater community representation on the WAJWASCO board.
- Outline the structure and functions of the WUAs in county water legislation and ensure these regulations are implemented. This should include regulations to ensure the participation of all social groups on WUA committees, and more transparent financial management systems.



- WUA committees should follow transparent selection processes, with all community members invited to attend, as well as subcounty water officers, and other water sector actors. Communities should also be sensitised on their needs for equitable and inclusive community-managed water points and be made aware that they can hold their WUA committees to account.
- Enhance the supervision and monitoring of WUAs by subcounty water officers through setting up communication channels, and monitoring of performance and accounts. Establish a performance framework linked to incentives to encourage more accountable and successful management practices by WUAs.
- Create a system of community engagement and feedback to strengthen community voice and participation in water development. Ensure there are more inclusive public participation processes before projects are initiated, involving both men and women in the community.
- Harmonise water tariffs across water points and management systems to avoid conflict.
- Explore private sector operation models for more professional management and repair of water points, through partnerships with WAJWASCO or WUAs.
- Support enhanced technical, management and financial training for all water actors including the water department, subcounty water officers, WAJWASCO, and WUAs.

## Water use and rangelands

- Align the establishment and distribution of water points more strategically with pastoral range management. This should consider the placement of water points with respect to wet and dry season grazing areas, the spacing between neighbouring water points, and the discharge rates of water points that determine the concentration of livestock on the rangelands. Existing water infrastructure should be rehabilitated where possible.
- Differentiate the needs of domestic and livestock use in the development of water points to avoid the overgrazing of pastures.
- Limit the mushrooming of new settlement areas to avoid extra stress on grazing areas. Settlements should be planned according to local domestic and livestock priorities for water development rather than being politically-driven and disruptive to rangeland management.
- Strengthen traditional conflict resolution mechanisms to ensure peaceful access to water, and ensure they are incorporated in the management and governance of water points.



### Partners



In October 2018, the Wajir County Water Department led a study to understand the key challenges underlying domestic and livestock water security in Wajir County. The study was carried out in collaboration with WAJWASCO, Mercy Corps and IIED as part of the Building Resilience and Adaptation to Climate Extremes and Disasters (BRACED) programme funded by the United Kingdom (UK) Department for International Development (DFID). The contents of this policy brief do not necessarily reflect the views of DFID, the UK Government or Mercy Corps and partners.

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