

WATER SECTOR GOVERNANCE IN LEBANON:

POTENTIAL ROLE OF LOCAL
GOVERNMENTS*

Current status of the water sector in Lebanon

- Under investment in the sector
- Chronic mis-management of the sector
- Low institutional and individual capacity
- Institutional / jurisdictional overlaps, and

Legal / Institutional Roles

Law 221/2000 and its amendments (Laws 241/2000 and 337/2001):

- overall authority over the water sector at the national level falls under the MoEW
- Operational authority given to the 4 RWEs and LRA
- The RWEs responsible for all POTABLE and IRRIGATION networks, along with SEWAGE collection networks and treatment plants
- **No role for local authorities in service provision at the local level**

Law 221/2000 institutional roles / jurisdictional overlaps

- LRA vs. BWE and SLWE
- Ministries of Public Health, Environment, Agriculture, Industry, and Interior
- Council for Development and Reconstruction (CDR)
- Historical role of local authorities in water resources mgmt., water service provision, and sewage collection at the local level

Tensions between RWEs and local governments

- Complete lack of coordination between RWEs and local authorities on all levels, leading to tensions between the two parties
- Increased tendency by LAs to involve themselves in filling the prevailing gaps in local service delivery without a clear mandate
- This is supported by the availability of funding and the empowerment they get from the international donor community.
- Risk of lack of long-term sustainability due to focusing on quick fixes that are attractive for municipal officials and for donors and international organisations

Water Code (Law 77/2018 and amendment Law 192/2020)

- Attempted to solve the overlap problems between different public sector entities involved in water resources management and water service provision, at various levels
- Law 192/2020 stipulated that local authorities could play leading roles in managing water resources and water supply and sanitation services at the local level
- Local authorities are required by the law to play such roles in full **coordination** with, and upon **mandate** from, the concerned RWEs

Institutional Arrangements between local authorities and RWEs:

Public-Public Partnerships

- According to the Water Code, RWEs could mandate local authorities to lead water and sanitation service provision locally by establishing **public-public partnerships** with these authorities.
- Such partnership arrangements institutionalise cooperation and coordination between the two parties to ensure the **long-term sustainability** of Local authorities' interventions
- Local authorities should be supported and empowered by the Lebanese Government to gain necessary **financial, institutional, and individual capabilities**

Case study:

Local Authorities of Aarsal and Deir El Ahmar

- The MASAR Programme is supporting Aarsal and Deir El Ahmar to improve water management and service provision at the local level
- Both suffer from similar problems:
 - Low institutional capacity
 - Absence of any medium- or long-term planning for basic service provision, economic development, or urban plans and/or spatial zoning
- Aarsal inhabitants 43,000 Leb. and 65,000 Syrian refugees
- Deir El Ahmar inhabitants 27,000 Leb. and 10,000 Syrian refugees
- Significant increase in population, due to the influx of Syrian refugees, has significantly increased the demand for water supply and sanitation,

Case study:

Local Authorities of Aarsal and Deir El Ahmar

- Both Aarsal and Deir El Ahmar suffer from extremely limiting budgets:
 - Annual (OpEx) within Aarsal budget is around USD 115,000 and (CapEx) is less than USD 140,000
 - Annual (OpEx) within Deir El Ahmar budget is around USD 18,000 and (CapEX) is less than USD 20,000
- The estimated costs of planned water supply and sanitation infrastructure projects for Aarsal and Deir El Ahmar show how much such projects are way beyond the capacity of both local authorities:
 - Aarsal: water supply estimated cost around 10.70 million USD, and sanitation estimated cost around 11.00 million USD
 - Deir El Ahmar: water supply estimated cost around 4.13 million USD, and sanitation estimated cost around 22.80 million USD

Case study:

Local Authorities of Aarsal and Deir El Ahmar

- Aarsal and Deir El Ahmar local authorities involvement in water supply and sanitation service provision at the local level within their areas of jurisdiction differs from one place to another.
- In Aarsal, which suffers from partial coverage of house connections and intermittent and unreliable water supply service by BWE, the municipality arranged with international donors and NGOs to drill five deep wells to augment the town's water supply.
- However, only two out of the five wells are still functioning and partially covering the daily domestic water consumption of Aarsal's inhabitants.
- Typical maintenance problems and severe electricity rationing rendered all other wells non-functioning. The municipality planned to install 5 solar systems to provide power to the five respective wells to reduce water shortage.
- However, the sustainability of the whole initiative is still questionable, because it is almost certain that the lack of financial and institutional capacity of MA will hinder operation and maintenance of the solar systems and the pumps installed by the municipality.

Case study:

Local Authorities of Aarsal and Deir El Ahmar

- In Deir El Ahmar, the union of municipalities intervened to mitigate the impact of unreliable and intermittent BWE water supply service by building several hill lakes for irrigation purposes.
- However, available funds from international development agencies have not been adequate to cover the costs of building the hill lakes and the necessary distribution networks and control systems needed to distribute water to beneficiary agricultural lands.
- This is another example of typical challenges local authorities face while trying to solve water supply problems locally. In this case, the LA could not use the public water supply network that the RWE owns due to the lack of mandate to intervene and make any performance improvement.

Case study:

Local Authorities of Aarsal and Deir El Ahmar

- Local authorities are obliged to augment the water supply from local sources such as deep wells or hill lakes. However, frequently such interventions are limited not only by the general lack of financial and institutional capacity among these authorities but also by the segmented nature that internationally funded interventions at the local level sometimes suffer from.
- Despite significant support by international organisations for both local governments (6.00 million USD to Deir El Ahmar and USD 1.25 million to Aarsal over six years), both authorities still suffer from almost the same low financial and institutional capacities.
- This shows that funding by international organisations cannot sustainably replace the necessary empowerment by the national government through institutional building and capacity development of local authorities across the country.

The Way Forward

- The Lebanese water sector is in dire need of a new vision based on inclusivity in terms of both institutional setup and universal access to water and sanitation services by all inhabitants living in the country.
- All public institutions – such as local authorities – that are eager to contribute to water management at local, regional, and national levels should be encouraged and supported to do so.
- The RWEs need full institutional support through a comprehensive technical assistance programme and institutional capacity development that would lead to a complete turn-around in their performance and the quality and reliability of their service provision.
- Improved RWEs should mandate local authorities to play their leading role in water resources management and water and sanitation service provision at the local level

Local Authorities

- The necessary legal framework has been established within the recently adopted Water Code to facilitate the potential role of local authorities in water resources management and water and sanitation service provision at the local level.
- This law allows the RWEs to mandate local authorities, through public-public partnerships (PUPs), to provide water services locally. Such partnerships could become optimal arrangements to benefit from service provision by the RWEs while ensuring the long-term sustainability of such services by enhancing the role of, and allowing more say for, local authorities.
- Institutionalised PUPs between the local authorities and RWEs allow local authorities, which are usually eager to contribute to water resources management and water services locally, to do so seamlessly and in line with the overall regional service plans of the RWEs.
- However, a prerequisite for any meaningful contribution by local authorities to water and sanitation service provision at the local level is a major capacity development programme by the Lebanese Government for all local authorities throughout the country to enhance their institutional, financial, and human resources capacities.

Donor Community

- The donor community and international organisations, that are actively supporting the water sector, are called upon to fund the comprehensive institutional building programmes for the MoEW and the RWEs through coordinated efforts under the overall leadership of MoEW
- This will allow them to contribute to an overall turn-around of the sector performance rather than stand-alone interventions.
- The donor community should also help local authorities through a similar approach of integrated institutional building to ensure the long-term sustainability of local authorities' involvement in water service provision at the local level.
- The donor community could also be instrumental in promoting such involvement of local authorities by initiating and facilitating dialogue between the local authorities and concerned RWEs to define the roles of each party and hammer out details of partnership arrangements

Thanks for listening