

# Institutional reform of the water sector in the Netherlands and Kenya

Comparing a reform process in a Northern and the Southern country

# Integrated Water Resources Management approach

## BACKGROUND

- Water knows only hydrological boundaries,
- Growing competition for scarce and clean water resources
- Need for cooperation between upstream-down stream interests
- Need for transboundary coordination in operation and maintenance activities
- Need for harmonizing administrative and hydrological boundaries

## STRATEGY

- River Basin as hydrological area that limits the systems of water
- Management of surface and subsurface water
- In quantitative, qualitative and environmental sense
- Multidisciplinary and participatory perspective
- Focus on the needs and interest of society at large now and in the future.

# Water management system

## Objective

- Facilitate dynamic interactions between public-private and voluntary sector organizations for improving the planning, implementation and management of water resources/services

## Bodies

- Legislative, Executive and Advisory

## Functions

- Constitutional function  
(develop water policies, legislation and institutions)
- Organizational function  
(develop policies into strategies as logical combinations of measures and to organize their implementation)
- Operational function (carry out strategies)

# Organization of WM in the Netherlands before IWRM approach

**Min of Transport and Water Management:** Constitutional functions for national water management

**State Water Administration:** management of national infrastructures for water resources management

**Provincial Water Administration:** Organizational and M&E functions for water boards and water companies in the province

**Local Water Boards:** Operational WM functions in Water basins (O&M of flood protection and drainage systems)

**Drinking Water Companies:** Processing and distribution of drinking water in the municipalities

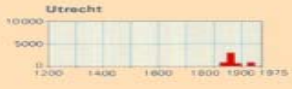
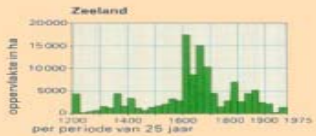
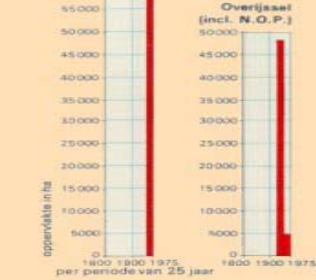
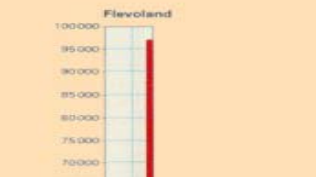
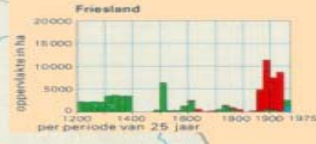
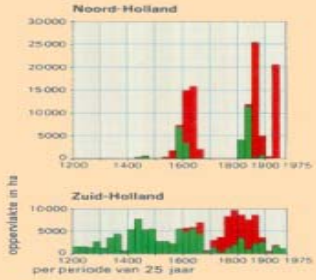
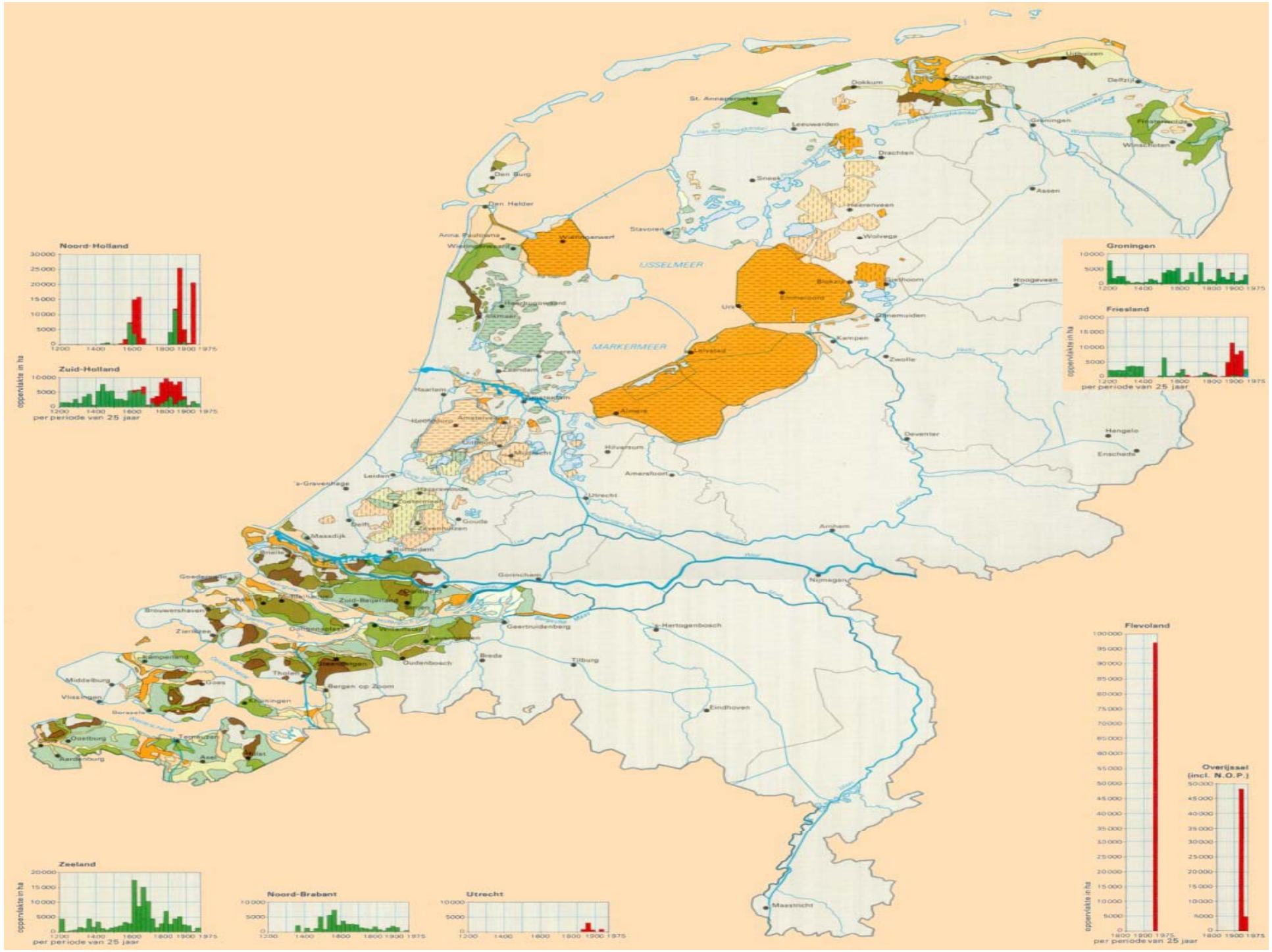
# Organization of WM in the Netherlands after IWRM approach

**Min of Transport and Water Management:** Constitutional functions for national water management and participation in EU IWRM policy platforms

**State Water Administration:** management of national flood protection infrastructure, technical M&E functions for water quality and organizational monitoring of regional water boards (under supervision ministry)

**Water Boards:** organizational up-scaling into 6 regional water boards that are responsible for IWRM in the 6 water basins in the Netherlands, and participation in the regional river basin initiatives (boards have own legislative bodies)

**Drinking Water Companies:** Processing and distribution of drinking water and collection and treatment of waste water (under supervision of municipality council)



# Impacts institutional reform in Dutch Water Sector

**Collaboration in the regional Rhine, Meuse, Scheldt and Ems River Basins that are cross national boundary**

**Organization of two national water basins (Lake Yssel and Lake Wadden)**

European Commission provided policy framework for IWRM for sub-regional collaboration in river basins

Ministry translates EU Water Directives into national policies, strategies, regulatory framework, norms and standards and supervises them

**Up-scaling of water management organizations** from local polder to river basin for integrated river basin management

**Concentration of Water Boards** (2544 water boards in 1952 to 27 water boards in 2003, to 6 water boards in 2015?)

Discussion about need for legislative bodies of regional water boards (provincial and national parliaments can perform representation and control functions)

# Institutional reform Kenyan Water Sector

## **Backgrounds**

- \*During colonial and post-colonial periods government seen as main actor for managing water resources and for providing and funding water services.
- \*Water administration realized it failed to provide affordable drinking water and sanitation services properly and achieve its targets
- \*Dissatisfaction among population and civil society

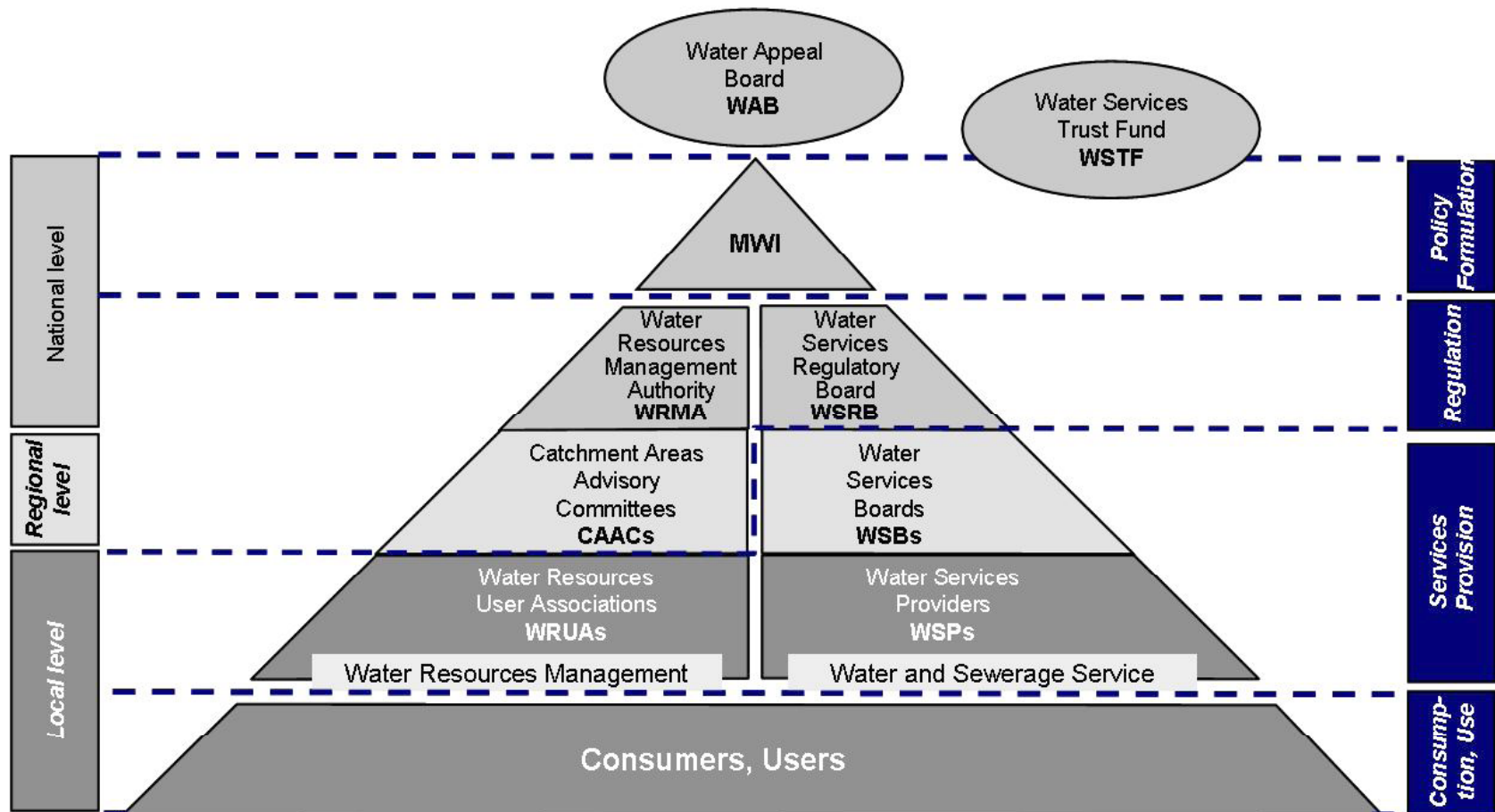
## **New National Water Policy 1999**

- \*KMW&I 1997 launched with TA GTZ process of outlining a new water policy
- \* Consultative process stakeholders at national, sub-national and local level about strategies and legislation to operationalize the draft National Water Policy

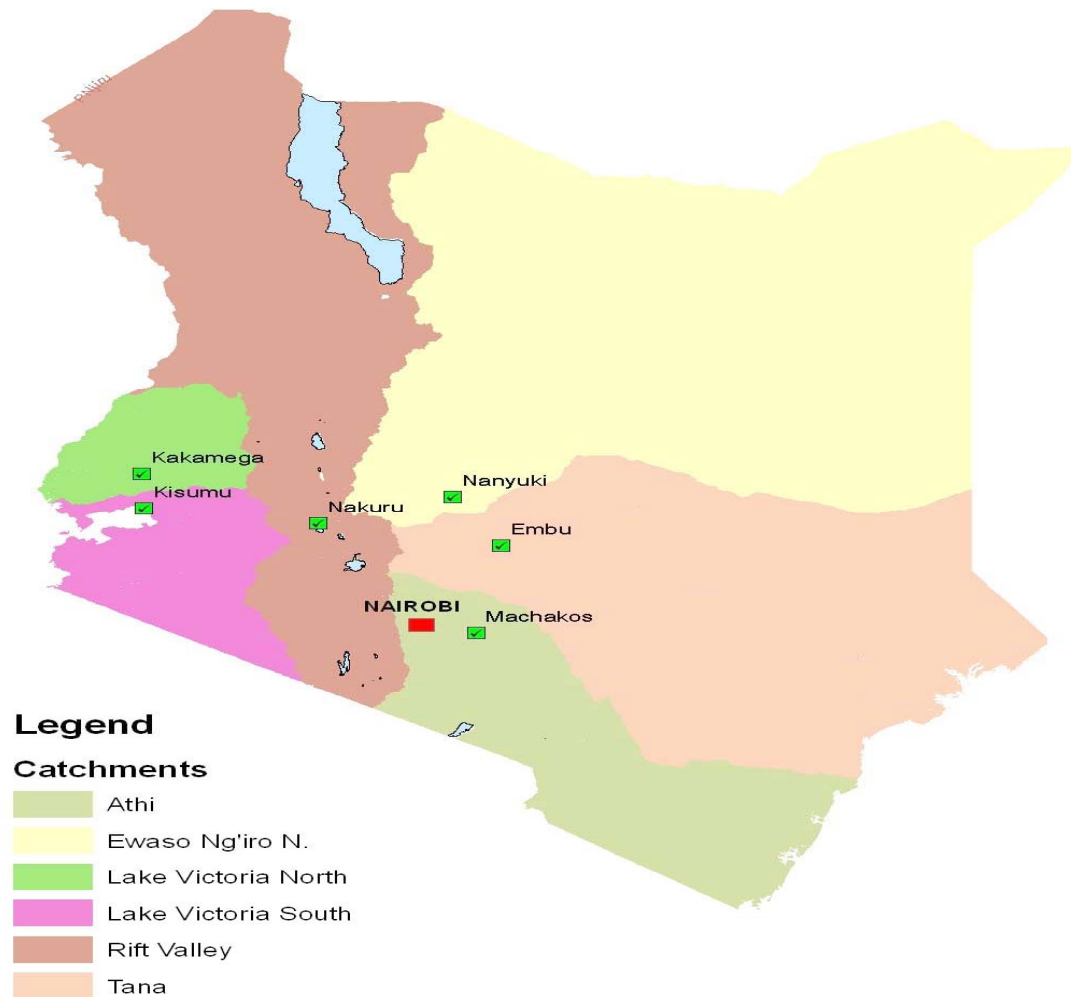
# **New thinking about water resource management and governance**

- \*Erase distinction water resource management and water service delivery functions in water administration
- \*Concern about long-term availability of water resources in quantity and quality (forestry, soil and water conservation, water pollution, water abstraction) IWRM
- \*Role KMWI changed from direct service provision to developing an enabling policy and regulatory environment for innovative public-private-voluntary sector partnerships at regional and local level
- \*Introduction ‘user-and-polluter-pays principle’
- \*Sustainable water deliverable mechanisms based on economic and social function through appropriate tariffs

# New institutional set-up of Kenyan water sector



# Kenya 6 River Basin/catchment areas



# River Basin Organizations

## **Water resources Management**

- Water Resources management Authority (regional offices for six river basins)
- Six Catchment Area Advisory Committees (multi-stakeholder)
- North and South Victoria WRM and CAACs participate in Lake Victoria River Organizations
- MWI participates in Nile Basin Initiative

## **Water services**

- Water Services Regulatory Board
- Water Services Boards organized for national/sub-regional river basins (six + Nairobi river)
- Water service providers (private and CBOs)
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# Conclusions

- Water institutions are organizations, and also working rules founded for public interest in water resources and based on an accepted custom, law or relationship in a society or community.
- Historical perspective shows how endogenous and exogenous factors influenced institutional change.
- In northern country endogenous and more recently exogenous factors affecting institutional change and in Southern country exogenous factors are dominant