Condition for success 1 – Good Governance

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Synthesis report - Target 5

"Integrity and anti-corruption policies in the water sector"

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By 2018, 30 countries will have committed to promote integrity in the water sector, diagnose/map existing or potential corruptions risks, and ensure that anti-corruption policies are well implemented and effective

This report has been prepared by the CS1 Target and Solution Group 5 which is coordinated by the Water Integrity Network. It was drafted by Alexandra Malmqvist and Fiona Meyer, and benefited of feedbacks from several contributors including the CS1 Target and Solution Group 5 coordinator Donal O'Leary, the CS1 Target and Solution Group 6 coordinator, Lotten Hubendick from the UNDP Water Governance Facility at SIWI and the CS1 coordinator Aziza Akhmouch from OECD.

Outline

I. Introduction

This report is part of the Good Governance Condition for Success theme. It is one of six identified targets of that thematic process and contributes to the 6th World Water Forum, which will take place in Marseille (France) in March 2012 and will focus on targets and solutions, rather than problem identification. This target needs to be considered together with Target 6 of the Good Governance Condition for Success theme as they work through a complementary approach.

Throughout the preparatory process of the **good governance** theme of the World Water Forum 2012, participants of various workshops and meetings have stressed the fact that **integrity** and **transparency** are key pillars of good governance. It is understood that the current political, economic and social context also defines the current governance setting in a new way. We are in the middle of an unstable climate due to the recent crisis that had a global effect on many levels which can affect governance and allow corruption to continue to fester as well as find new entry points. But positive recent developments have to be taken into account, including the recognition by the UN of water and sanitation as a basic human right. These positive aspects should encourage and motivate to continue improving conditions for all in the water sector. It is under this context that target 5 (and 6) was achieved.

II. Background and rationale of the target

There was a clear call made in the 2008 Global Corruption Report for participatory and qualitative tools to analyse corruption and enhance integrity of water service development and delivery. National integrity and transparency towards good governance is not possible without institutional and governmental support and strong initiatives. Laws and policies are in their hands and they have the best overview and control of a country's water sector. Inadequate integrity in a country's water sector can result in many negative impacts, such as: losses in investment, exploitation of contractors, compromised professionalism, contracts issued for personal gain rather than competence or merit, resources lost on shoddy and incomplete works and political decisions to target services and investments for the most affluent at the expense of the poor. Promoting integrity is critical if investments made in the sector are to reach the poor. With more universal recognition of the right to water and sanitation, there is even a greater need for accelerated and, even more importantly, sustainable coverage. Achieving this will be very difficult and will require higher priority on improving sector performance which in many cases requires a concerted and lasting effort to minimise corrupt practices.

To better understand the roots of corruption in a given country's water sector, as well as to gain a better overview of its integrity levels, diagnostic and mapping tools are essential. These results in a thorough understanding of the issue in local and national contexts and leads to better development of tools, methodologies and mechanisms to address the risks and problems identified. It is particularly important to point out the need to map out existing or possible corruption risks in **specific national contexts** as well as to assess the integrity levels of the **national water sector** due to the complexity and versatility of the water and sanitation sector worldwide. It is then possible to prevent this corruption through policies and action that again are nation-specific.

This target aims to help national governments develop evidence-based strategies to address corruption risks in the water sector. From these, time-bound anti-corruption action plans can be created to increase integrity and reduce corruption risks, which can

be monitored using concrete indicators on transparency, accountability, participation, and equity. When it comes to funding, what is important is not to increase funding in the water and sanitation sector, but rather to get a clearer understanding of how money is being used and allocated. It is also important to i) understand how the sector is performing, ii)define what is being measured. ii) keep in mind that corruption can have a broader impact on the quality of the service delivery and thus its sustainability[1] rather than focusing on petty corruption (bribes etc to get the job done); and iv) measure the damage done by corruption and from there take steps to reduce the incentives of being corrupt.

For water governance to be sustainable, a multi-stakeholder approach is essential (see target 1 of CS1 Good Governance Group). It is important to think about how can responsibilities then be allocated at different levels in the water sector, and even on a broader scheme, leading to greater accountability, participants and transparency. Therefore, processes to address the issue need to be designed by high level government officials and other stakeholders so that findings and conclusions resulting from diagnostic studies or water integrity scans can be validated and solutions for improved sector performance, good governance and integrity will be endorsed at political and senior policy making levels. National ownership is important to help make sure that follow up actions are not just identified but actually implemented at relevant levels of the water and environmental sanitation services sector and in relation to water for food.

Each country based study or initial action should be overseen by an in-country multi-stakeholder group, which would sign off on its scope as well as the corruption risk assessment and the GIP reports. At an appropriate future time, to monitor the effectiveness of the GIP, a sector baseline study on water related corruption could be repeated. Pilot studies and experiences as well as lessons learnt will help determine the way the sessions during the WWF-2012 will be conducted with the help of those actively involved in the processes. Several country meetings and training events will be organised

[1] http://books.google.de/books?id=dpe2k0NxmakC&pg=PA18&dq=measuring+water+corruption&hl=de&ei=MmDPTtzKFpOetgbx_pyADQ&sa=X&oi=book_result&ct=result&resnum=1&sqi=2&ved=0CC4Q6AEwAA#v=onepage&q=measuring%20water%20corruption&f=false

prior to the World Water Forum (or at the World Water Forum) involving representatives of Governments, the private sector, civil society and the donor community. Finally, findings from surveys are useful for water sector policies, to create sound and informed measures. But it must be made clear that, due to the very nature of corruption, happening in the dark, data will consistently be incomplete. This must be kept in mind when assessing corruption.

Condition for Success 1 – Target 5: By 2018, 30 countries will have committed to promote integrity in the water sector, diagnose/map existing or potential corruption risks, and ensure that anti-corruption policies are well implemented and effective

III. Target action plan and commitments

TARGET ACTION PLAN:

	IMPLEMENTATION OF THE TARGET **Expected results &**	**PRACTICAL STEPS** **Activities to be done/**	**RESPONSIBLE PARTIES**		**KEY- REQUIREMENTS/ ASUMPTIONS**	**ESTIMATED BUDGET (1k€, 10k€, 100k€, 1m€, 1b€) &**
			Lead institution	**Main partners**		
July 2011	Initial dialogue with partners for target 5 and identification of regional and country cases (existing or to be developed, different sub-sectors not just	- Prepare list of relevant actors - Organise a meeting	WIN			
October 2011	Identifying with other themes and targets (especially Right to Water, finance)	- Write a list of relevant targets and themes	WIN			

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			Lead institution	**Main partners**		
Until the World Water Forum	**Identify tools and good practices for assessing/mapping the water sector**	- Identify mechanisms for information sharing regarding investments funded by different kind of actors (governments, donors, private sector). E.g. 'Third Party Monitoring'. - Identify what different kind of actors can do to provide information (e.g. tools and methods used in other sector that could be applicable for the water sector).	WIN/WGF or lead partners			
May 2011 – February 2012	Explore and develop an online tools platform	- Define the tool platform and its functionalities - Develop the platform	WIN			

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Until World Water Forum	Formal government approval and other stakeholder approval to join target 5 through a concerted effort and specific programmes during 2012-2015 and beyond	- Advocacy and lobbying at the World Water Forum - Discussions with relevant actors	WIN/Governments			
August 2011	Meeting about water integrity tools and formation of a learning alliance at Stockholm World Water Week	- Attending Stockholm World Water Week and inviting relevant participants	WIN, Simone Klawitter and invited participants			

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			Lead institution	**Main partners**		
September 2011 – January 2012	Identify country cases, tool cases and good practices	- Research cases - Contact relevant organizations - Document cases	Lead partners and WIN			
October 2011	Dialogue with stakeholders and identification of cases at the WSSCC Global Forum in Mumbai	- Workshop on water integrity - Presentation about one solution relating to target 5 and 6	WIN			
October 2011	Dialogue with relevant stakeholders in Burkina Faso and Benin	- WIN (linked to water integrity training project with Cap-Net and UNDP-WGF)	WIN			

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			Lead institution	**Main partners**		
November 2011	Dialogue with relevant stakeholders in Senegal about water integrity scan		WIN			
December 2011	Dialogue with relevant stakeholders in Kenya (and from East Africa).		WIN & IRC			
December 2011	Multi-stakeholder water integrity scan in Kenya and training of facilitators for more scans in East Africa	-	WIN & IRC with relevant national stakeholders (WSP, Ministry of Water, TI Kenya, ...)			

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			Lead institution	**Main partners**		
March 2012	World Water Forum sessions for advocacy, knowledge sharing and networking		WIN/WGF/TI			
March 2012	Meeting at World Water Forum for follow-up action for targets 5 and 6 and link to other international and regional events.	Organise a side meeting	WIN/WGF/TI			

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			Lead institution	**Main partners**		
August 2012	Follow-up session to good practices case studies at the World Water Week in Stockholm		WIN/WGF/TI			
November 2012	Follow-up session to good practices case studies at the International Anti-Corruption Conference (TI) in Brazil	-	WIN/WGF/TI			

IV. Solutions

This list is by no means exhaustive and aims instead to give an overview mainly of existing cases. WGF and WIN used the following criteria for the selection of solutions/cases to be presented at integrity and transparency session at the 6th World Water Forum[2]:

1. The case should show how the tool has been implemented & reflect its effectiveness .
2. Pro-poor and developing countries focus.
3. Quality of the project, documentation and presentation.
4. Geographical and thematic diversity.
5. Relevance to target 5 and 6.
6. Balance and link between the two targets.
7. Potential for follow-up/ Long-term perspectives.

Solutions to be presented at the 6th World Water Forum

Transparency International Kenya – National Water Integrity Study

Transparency International Kenya conducted a National Water Integrity Study which presents an analysis of the governance of the water sector in Kenya. The report explores performance and integrity of water supply service development and delivery based on a number of case studies. The publication is based on literature review, discussions with water sector actors and case studies. Findings show important integrity risks that need to be addressed in combination with measures to improve sector performance. Inequity is still considerable in terms of access to improved water supply and charges for the commodity. Priority actions have been identified in this report and addressed to water sector specialists and key stakeholders involved in policy making, regulation and water service development and provision. These include focusing on promoting fairer prices users of water services pay and a pro-poor approach in water point coverage. In addition, independent regulation needs to be strengthened and should also cover secondary providers. The study also underlines the need for users to have a better understanding of their rights and obligations to improve service delivery. Finally, the findings indicate the need for benchmarking and greater transparency in the development of new water supply services. Publishing cost data of different projects and systems would be a good and fairly easy first step.

[2] The selection was made beginning of January, at that time only one solution (the WASH Journalists Network) was uploaded on the WWF Platform of Solutions.

Spain: Transparency in Spain's Water Management: Strength and Weaknesses

Transparency International Spain together with the Universidad Autónoma de Madrid have developed and implemented a transparency index for the Water Basin Organisations in Spain called the INTRAG (Indice de Transparencia de las Ciomunidades Autónomas). The index is composed of 80 indicators which are obtained by analysing the web pages of the organisation. The INTRAG produces information on transparency with respect to particular thematic areas and allows making statistically relevant comparisons between the Water Basin Organisations in Spain. The report indicates that the Agencia Catalana del Agua for instance obtained a high score whereas La Confederación Hidrográfica del Tajo ranked lowest. The study shows that there is a great lack of transparency in the Basin Organisations in Spain. The index points towards the areas which need to be urgently addressed by anti-corruption policies. Mechanisms to improve transparency in the water sector such as civil society information platforms which have been created could increase integrity in the sector in the near future.

India: ASHWAS (a Survey of Household Water and Sanitation) by Arghyam

ASHWAS is a participatory survey conducted by Arghyam – an Indian charity organisation- with the support of partner NGOs to ascertain the status of domestic water and sanitation in rural Karnataka from a citizen perspective. The aim of the survey is to furthermore create awareness on water and sanitation issues and introduce a participatory approach to deal with these issues. The survey covered 17,200 households in 172 gram panchayats (GPs) across 28 districts of the State during 2008-09. In addition, separate information was collected from gram panchyat officials and village elders. The survey gathers participants' views on the water and sanitation issues but also to test the quality of water being used from different sources. The findings are treated as quantative feedback on user perceptions of services, information on status, quality, adequacy, distribution, reliability and efficiency of water and sanitation services. The report synthesises the findings highlighting also the health and hygiene status and governance issues in light of water and sanitation. The output from the survey include in particular report cards used to share the results with participants and increase the understanding of the problem. A state report includes the findings of 28 districts.[3]

[3] http://www.arghyam.org/ASHWAS

Other solutions relevant for target 5

COUNTRY CASES

Uganda: risk / opportunity mapping with WSP

During 2008-09, in close collaboration with the World Bank's Water and Sanitation Program (WSP) and the Ugandan Ministry of Water and Environment, WIN completed a comprehensive two-part water integrity study in Uganda, and subsequently developed and implemented a water integrity programme to address specific corruption challenges and risks highlighted. The first part was a qualitative risk/opportunity study which identified weaknesses in national institutions and opportunities for corruption; the second was a quantitative national baseline study, which surveyed more than 2,000 respondents in order to verify the major corruption risks identified in the first study. The research helped Uganda's water ministry to develop evidence-based strategies and programmes to address corruption risks. Collaborative multi-stakeholder design and oversight were critical to the studies' success, creating a shared sense of ownership of the research and subsequent action programme.

Mexico: the implementation of an Integrity Pact in Mexico's El Cajon and La Yesca projects

Transparencia Mexicana (TM) has extensive experience monitoring contracting processes, spanning almost 60 contracts with an approximate value of US $30 billion. In TM's view, an Integrity Pact (IP) is a tool that adds value by providing assurance to society and to participants in a tender procedure (both the authority and bidders) about the way contracting procedures operate, making public relevant information about the conditions under which the contracting procedure has taken place. In turn, this helps others to understand the reasons underlying government decisions. TM doesn't question policy decisions; rather, it focuses on introducing transparency and accountability to their implementation. Characteristic of TM's approach is the Social Witness (SW), the name given to the person who acts as monitor of the process. In 2002 the *Comisión Federal de Electricidad* (CFE) approached TM to implement an integrity pact in the contracting process for the construction and equipment of El Cajón hydroelectric project. At that time, no regulation existed regarding SWs so TM established the terms of IP implementation through a service agreement. When the construction of the La Yesca dam was being planned, the CFE again wanted a SW. By then, the government had issued regulation establishing a mandatory SW in certain processes. The CFE filed a request for an SW to the SFP. The decision to use the SW in El Cajon was taken by the highest authorities in the Mexican Federal Government, which instructed the CFE to do so. At that time, the system was unknown to CFE officials in charge of procurement. It is possible that concerns over the technical, social and political complexity of the project

prompted such instruction. In general, the role of the SW in the process reduced the risk of corruption. The two projects in Mexico were completed in a credible and legitimate manner without causing a scandal.

Colombia: Selling pipes with integrity in Colombia

In Colombia, self-regulation is being promoted through an integrity pact to reduce corruption in the procurement of pipes, which is vulnerable to corruption, for example through collusions in the tendering process and price-fixing. Recognising that such practices can be a threat to their businesses, private sector firms in Colombia worked with TI Colombia and the government to develop and implement transparent procedures in procurement. Ti Colombia reported that after a year, prices in the sector were reduced by about 30%, as about half of the 167 distributors had signed the agreement. This type of agreement also includes a set of policies to keep business clean and guidelines about different forms of bribery[4].

Australia: Blue drop and green drop certification to improve drinking water quality and wasterwater

The Department of Water Affairs introduced incentive-based regulation in the form of the Blue Drop and Green Drop Certification Programmes as a means to improve drinking water quality and wastewater services respectively. These programmes were designed and developed to inspire managers, specialists and practitioners alike towards excellence; based on the simple principles of, setting stringent criteria; subjecting municipalities to thorough auditing; ensure improvement through consultative auditing; and revealing performance by means of annual publications. These programmes were introduced in 2008 and the impact can be measured after 3 Blue Drop and 2 Green Drop publications. The results proved that municipalities embraced this from of regulation, not because it is less or inferior to conventional (compliance monitoring and enforcement) regulation, but rather due to the evidence that it created an environment which is conducive for improvement.

Drinking water quality management was given clear targets which exceeded the normal "minimum requirements" due to the emphasis that was placed on risk management as

[4] http://books.google.de/books?id=BC41TG3HiW8C&pg=PA109&lpg=PA109&dq=integrity+pact+colombia&source=bl&ots=WjR7ZWPoVk&sig=syBnYffOjBa-AHVB9vC_urGDBMM&hl=de&ei=2l3PTsCUGZKpsgaH8-z3Dg&sa=X&oi=book_result&ct=result&resnum=10&ved=0CGwQ6AEwCQ#v=onepage&q=integrity%20pact%20colombia&f=false

informed by the water safety planning concept. The magnitude of the progress can be depicted by the huge improvement in drinking water quality compliance that improved from 93.3% to 97.2% within a space of two years, and that the number of water supply systems managed on water safety planning principles in creased from 9 to 450 in the same space of time.

While wastewater services in terms of quality has not achieved the same level of success, Green Drop certification provided for a public platform where municipal wastewater services can be monitored and be credibly be reported upon. A new energy of accountability was generated through incentive-based regulation and provided for 40 wastewater systems to be Green Drop certified. It also made the wastewater challenges much more explicit and allowed for even more innovation to be research

TOOLS

Annotated Water Integrity Scan

The Water Integrity Network together with the IRC International Water and Sanitation Centre has developed the Annotated Water Integrity Scan (AWIS) tool to help reduce corruption. AWIS is a concept for multi-stakeholder workshops that explores the status of integrity in specific water sub-sectors. The scan explores risks regarding three pillars of integrity: Transparency, Accountability and Participation (TAP). The dialogue which takes place during the process of the scan creates an enabling environment to exchange knowledge and viewpoints around the controversial topic of corruption in the water sector. Perceptions on Water Integrity differ greatly among actors. AWIS brings the views of diverse groups of experts together to improve awareness of different understandings to ease communication and pave the way for cooperation among stakeholders. The AWIS is a qualitative tool that can be used to assess the status of integrity risks and frameworks in a country, encourage multi-stakeholder dialogue and identify practical steps for improvement. It has so far been applied by WIN in Burkina Faso, Ghana, Honduras and Benin.

A Users' Guide to Measuring Corruption

A Users' Guide to Measuring Corruption, jointly produced by UNDP and Global Integrity, is an attempt to explore how best to use existing tools to measure what is increasingly viewed as one of the major impediments to development: corruption. This guide is based on a review of the literature and bolstered by more than 30 original interviews with experts in the field, A Users' Guide provides government, civil society and development practitioners with "good practices" in measuring corruption. It also provides practical guidance on how to use the data generated by measurement tools to inform real-life

policy formulation and empower nationally-driven reform agendas. Some case studies based on actual country experiences demonstrate how corruption indicators can be used to tackle measurement challenges commonly faced by anti-corruption and governance practitioners, including: The lack of corruption metrics that are useful in day-to-day policy and programmatic work; The need for more disaggregated data that move beyond single-country rankings to more discrete measures within sectors, institutions and population groups; The need to move beyond perceptions-based data as the basis for corruption measurement

Water Integrity Study

The Water Integrity Study consists of a Risk/Opportunity Mapping Study and a comprehensive Water Integrity Baseline Survey of a specific water sub-sector. The first is a qualitative desk review that examines the overall institutional and organisational landscape, in order to identify institutional bottlenecks, analyse accountability relationships and incentive structures, and provide recommendations on how to improve transparency and accountability in the sector. The Water Integrity Baseline Study is an extensive quantitative study that examines the specific experiences and perceptions of different stakeholder groups via administered survey instruments. This study validates and substantiates the risks identified in the Risk/Opportunity Mapping Study. In addition, the baseline study is designed to be repeated at regular intervals to measure changes in corruption.

Anti-Corruption Tool Kit (2002) (UN)

The purpose of this anti-corruption Tool Kit is to help governments, organisations and the public to understand the insidious nature of corruption, the damaging effects it can have on the welfare of entire nations and their peoples, and to provide an inventory of measures used successfully to assess the nature and extent of corruption, deter, prevent and combat corruption, and to combine and integrate the various "tools" into successful national anti-corruption strategies. While there are common factors, the nature and effects of corruption are unique to each country and society, and the toolkit is intended to provide a range of options which will enable each country to assemble an integrated strategy which will be as effective as possible in meeting its needs. The package consists of the following major elements: The United Nations Manual of Anti-Corruption Policies, the United Nations Anti-Corruption Handbook for Investigators and Prosecutors, the United Nations Anti-Corruption Toolkit, the case studies, which set out practical examples intended to illustrate the use of individual tools and combinations of tools in actual practice as well as the international legal instruments, in which all of the major relevant

global and regional international treaties, agreements, resolutions and other instruments are compiled for reference.

Colombian Pipe Manufacturers: Operation and Effectiveness of a Voluntary Ethics Committee

Pipes make up at least 40% of the costs of water infrastructure and corruption therefore presents a big risk to infrastructure projects, particularly in the planning, design and procurement phases. For example, many project proposals tend to use published list-prices as a guide for costing, however these prices often ignore the fact that many manufacturers offer discounted prices. The worst examples tend to be in provinces that flourish with oil money, where it is estimated that pipes are imported at prices 30-40% higher than domestic market prices. The water sector is no less prone to such practices.Mimanagement and corruption in the Colombian Pipe Manufacturing sector already led to the development of Colombia's first voluntary Pipe Manufacturers Anti-corruption Agreement (PMAA) in 2005. The agreement was made possible through the commitment and initiative of nine companies, who together make up almost 90% of the sales volume of pipes in Colombia. The primary aim of the PMAA is to engage companies in collective monitoring activities for transparency and fair competition in state-related procurement and bidding processes. The PMAA is guided by Transparency Internationals 'Integrity Pact'. In 2007-2008, the PMAA members, with the extensive support of Transparencia por Colombia, set up an independent ethics committee to help reduce corruption risks and to help build confidence in the market and between competitors. The committee's goal is to ensure compliance to the agreements, to monitor irregularities in the tendering processes in which the companies may participate and generally, to encourage the promotion of transparency amongst. The practical nature of the ethics committee means that a great focus is placed on the nature of corruption risks identified, with measures put in place to approach these issues through prescriptive and well-defined policies. Its' strength lies in its' ability to award sanctions to companies who are found to be non-compliant to the provisions in the agreement. Amongst others, non-compliance may result in the withdrawal of the right to use affiliation to the PMAA in promotional material, as well as a public announcement of the violation (e.g. posting of information on the website of the business association).

V. Recommendations for follow-up

Recommendation 1 – Present available tools during the WWF

Recommendation 2 – Creating a learning alliance on existing tools

Recommendation 3 – Organise training of facilitators for specific tools to reproduce and broaden potential action

Recommendation 4 – Organise stakeholder dialogue to raise awareness

Recommendation 5 – Engage with relevant ministries of water and sanitation

Recommendation 6 – Organise diagnostic or assessment studies in some countries to use as examples

Recommendation 7 – Create a geo-mapping reference system to map out and track water integrity studies worldwide

Recommendation 8 – *(Continue to)* Create case studies based on the studies

Recommendation 9 – Disseminate information (link to target 6)

Recommendation 10 – Setting up a monitoring framework

Recommendation 11 – Repeat the scan/assessment/study

Recommendation 12 – The processes to address the issue need to be designed by high level government officials and other stakeholders so that findings and conclusions resulting from diagnostic studies or water integrity scans can be validated and solutions for improved sector performance, good governance and integrity will be endorsed at political and senior policy making levels

VII. Conclusion

Through this WISE process around target 5 WIN, with the help of the Water Governance Facility and TI, has identified a series of existing tools to be able to implement target 5. These will be presented during the 6th World Water Forum in Marseille in 2012 by highlighting specific country cases,. What is needed now is commitment from all stakeholders in the water and sanitation sector and in particular link up to the political process. It is important to keep in mind to be context specific when deciding to implement relevant water integrity tools and to work through a holistic approach.

Good Governance, water integrity tools and implementation should be integrated into the overall World Water Forum process. WIN therefore highly recommends to link this target and the overall CS1 good governance theme with the other themes and targets of the forum. Moreover, whilst WIN has been coordinated this target, WIN does not want to be its owner and thus invites other stakeholders to join the effort for improved water integrity, in particular as corruption in the water sector is a cross-cutting and complex issue.

VIII. Contributors or relevant contacts

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Proposed participants/contributors	**Organisation**	**Country**
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