

EXECUTIVE SUMMARY

Country Baseline Assessment

WATER SECTOR INTEGRITY IN BANGLADESH

Dr. Syed Hafizur Rahman
Dr. Sheikh Tawhidul Islam

Executive Summary

Water governance and management aspects appear to be the major issues to meet the bellicose demand for water by different contested sectors in Bangladesh. These aspects stretch from conceptualizing the problem, planning development and implementing projects to delivery of the services in the final leg. Water governance and management aspects evolved from historical times without receiving necessary attention on physical characteristic of the land that this water and silt dominated lower riparian country deserves. Later a set of policy and institutional frameworks came into action that govern and guide the aforementioned water governance and management concerns; these policy and institutional frameworks also supposed to act as the warden for addressing the corruption, transparency and accountability matters and to ensure inclusive decision making processes by involving different stakeholders. But absence of major watchdog in this sector for (i) overseeing the activities (from planning to operational activities), (ii) to make critical comments and suggestions for improvements through systematic investigations, (iii) to undertake advocacy campaigns to improve the water service delivery regimes limited the opportunities to incorporate integrity aspects in policy and institutional compositions and practice processes.

In these contexts, Bangladesh Water Integrity Network (BAWIN) plans to work in water sector to bring a change by addressing the gaps, some of which are indicated above. This baseline study on water integrity is commissioned by BAWIN as part of the commencement of their work in Bangladesh. The study aims to achieve three specific tasks, (i) mapping of the legal and institutional arrangement and capacity for governance and integrity in the water sector in selected city corporation areas and south-west coastal region, (ii) assessment of governance and integrity risks in terms of practice in the selected institutions/areas/region and (iii) identification of priority risk areas/institutions for intervention. Literature review, interviewing key personnel of water sector, group discussions were the key methods adopted in this study to gather data on water integrity aspects of Bangladesh. In addition to policy and institutional review, the water integrity aspects in rural and urban contexts were investigated more elaborately. Activities

of Bangladesh Water Development Board (BWDB) were analysed for understanding rural water integrity context and Dhaka Water Supply and Sewerage Authority (DWASA) was considered to assess the urban context.

Twenty nine water related major law/ legislation/ policy for the management of water resources of Bangladesh were evaluated to examine the presence of issues like equitable service provisions, rights to water, voice and choice, gender, civil society participation, corruption, transparency and accountability, environmental management, water resources management, monitoring and evaluation and institutionalization and decentralization processes. In the similar fashion, the institutions related to water sector planning, governance/management, service delivery were reviewed to examine the degree of integrity aspects they follow in the operational processes. It was observed in the review that the overall management of water resources is shared between state water agencies, users of water including the public, NGOs and other government agencies engaged in agriculture, industry, commerce, water and sewage, public health, municipalities, inland water transport, fisheries, forestry and the environment. Policy and institutional review suggests that some of the aspects like water rights, equitable sharing and gender are to some extent, covered in the legislative frameworks and in the organizational mandates but corruption, accountability and transparency aspects are not clearly defined.

Focused and detailed investigation of water integrity in city corporation area (Dhaka) and in south-western coastal region (Khulna and Satkhira) examining the activities of two major organisations i.e., DWASA in Dhaka city corporation area and BWDB in south-western coastal region of Bangladesh were carried out to check how these organizations perform in typical physical, social and economic contextual settings.

The activities of Dhaka WASA were examined in detail in order to capture water integrity issues in the city corporation area contexts. Lack of capacity to deliver water services/supply against demand, infringement

of informal, unauthorized (e.g., middlemen) entities in different segments of water distribution processes, limited public participation in decision making processes, absence of necessary principles for effective water governance such as transparency, accountability, legitimacy and legality, equity and inclusiveness were identified as the major challenges for DWASA. The chapter also goes beyond the review of DWASA actions, rather commented on actions of other agencies as well and finally concluded that water crisis issues in Dhaka are mainly subject to incapacity of authorities to execute legal procedures against illegal/immoral actions of people and agencies both government and non-government (it may stretch from illegal river/canal occupation, dumping of industrial wastes to unplanned urban area development).

On the other hand, BWDB focuses on planning, development of new projects and engaged in operation and maintenance of existing water regulatory projects in Bangladesh. Flood control, improvement of drainage systems and irrigation facilities for enhanced food production are the prime mandates of this agency. It was also observed that BWDB activities have a lineage with the activities of WAPDA (Water and Power Development Authority) of East Pakistan, although currently this agency has got its own organogram and activity mandates under the auspices of BWDB Act 2000 and also guided by other related acts and policies like National Water Policy 1999 and National Water Management Plan 2001. BWDB is overwhelmed with the actions and programmes already introduced in Bangladesh by the predecessor agency WAPDA and recommendations made by Krug Mission and then by IECO in 1964, where the policies mentioned above were little successful to influence the activities of BWDB. It is important to note that during Pakistan periods the availability of water, water requirements by different sectors, patterns of disaster occurrence and impacts were different from later times when BWDB started working in Bangladesh to ensure best use of water and protect the country from water induced challenges/threats. In addition, increased requirements of water by different

sectors, water shortage at sources, contested nature of water use, increased frequency and new forms of hazards including climate change threats, poisoning (e.g. arsenic, chlorine) and pollution of water, illegal occupation of water courses, canals has emerged as new challenges in water sector and compounded the existing problems. These old and news sets of challenges collectively give new dimension to the pre-existing problems that are hardly addressed through new policies and less reflected in programmatic activities of BWDB. Relevant chapter (Chapter 5) focuses on how faulty and partial reading of delta environment and project implementation create grounds for breakdown of water integrity in Bangladesh. The chapter concludes by identifying major gap that the policies and the institutions once developed to address more simpler types of challenges in earlier times are still remain almost in the same state and trying to address more complicated, multiple forms of impact conditions.

However, major observations of the baseline study on

water integrity aspects are summarized in the following sections, which will highlight the major concerns and at the same time indicate intervention actions and suggestions to improve water integrity aspects in Bangladesh.

Partial Understanding/Assumptions Based Project Concepts Caused Permanent Damage to Water Supply Options

- I. Structural measures based engineering solutions might not be fully effective in Bangladesh context, other non-structural measures should also be investigated.
- II. Impact consequences have multiple facets and dimensions. Any likely water sector (impact) assessments should pay attention in this regard. New project concepts should absorb these lessons.

Legal Aspects and Institutions

- I. DPP (Development Project Proforma) of Planning Commission should be revised to ensure that projects will go in line with environmental/ecological integrity



standards (may be how EIA/SIA/SEA will be carried out by the proponent and be communicated should be declared at the initial stage of project development).

- II. Environment Impact Assessments need to be coherent and correctly aligned. Currently, DoE upholds guidelines mainly for industry sector, LGED maintains their own EIA guideline for screening their projects, Roads and Highways (R&H) maintains their own ones, WARPO keeps water sector guidelines. Most importantly, only DoE guidelines have legal entitlements via Environment Conservation Rules 1997 and the remaining other do not have legal protection. It is also important to note that there are no legal binding exist for Social Impact Assessment (SIA) guideline or Strategic Environmental Assessment (SEA) in Bangladesh. Fulfilling these gaps will ensure strong safeguard measures against actions that damage water storage and supply options in Bangladesh.

Breakdown of Ecological Integrity

- I. Development projects, policies and legislative measures may bring unexpected changes in the ecological integrity of a region. These unexpected alterations may create impediments to incessant supply of necessary amount of waters with standard quality. Therefore projects taking up any stage/scale local, regional or national should go through rigorous appraisal process to make sure it does not undermine regional or local ecological integrity.
- II. Disasters both slow-onset (e.g., saline intrusion) and forceful-sudden, cause different degrees of ecological damage and consequently impact on water supply systems. Many government and non-government agencies have been working on related areas like WASH (Water Sanitation and Hygiene) to ensure better water related service delivery mechanisms to the households and institutions like schools. These project specific interventions should be more aligned with the specific requirements of the sector in the contexts of disasters and climate change.

Business as Usual Policy and Institutions

- I. In many instances, water related problems are handled and managed by old fashioned institutions and inefficient policies. In contrast, changes have happened in reality and impact conditions become more complicated, compounded and multifaceted. This mismatch does not allow intended improvements through project implementation. For example, TRM project is approved by the government, not effectively be implemented due to the absence of required policy and guidelines over the land acquisition issues and related financial cost sharing strategies. As indicated before that EIA, SIA, SEA guidelines are not properly standardized and harmonized.
- II. Many local government agencies like City Corporations, Municipalities have not mandates to develop and execute their own plans; rather other upper level agencies impose activities upon them and asked to carry out. For instance, water supply systems of Satkhira Municipality informed that they have no mandate/capacity to develop their own water development plans although they have in-depth understanding about the requirements. But DPHE do the planning for them.
- III. There are instances that government agencies implement projects or take actions that open the opportunities for other stakeholders to perform wrong actions. These government actions may be happening within legal frameworks, but on moral grounds these should be avoided. For instance, government took actions against a land filling project in Dhaleswari floodplain (i.e., immediate after Gabtali) and at the same time Dhaka City Corporation has developed a large water filling site in the same area that also contributed wetland filling in the area. It is imperative to mention that this wetland is playing important roles in recharging ground water tables of Dhaka city.

Corruption and Accountability

- I. Many water development projects experience allegations over misuse of public resources and corruptions. The Task Force of Bangladesh Water Development Board reviewed many such cases and some of which later telecasted in electronic media. Corruption over purchase of dredging machines, excavation of Jamuna river channel near Sirajganj, corruption over canal excavation in Chandpur all are investigated by BWDB's internal (by the Task Force) investigation teams. But the rectification measures are weak and delicate that does not enforce enough penalties which may provide strong warnings to stop further corruptions. These areas should be taken care of more seriously.
- II. The practice like giving rewards for good deeds is also missing in the institutions. Measures could be taken in this regard.

People's Participation and Inclusive Decision-Making

- I. The opinions of local people (including women) are vital in designing projects. In most of the cases, people's participation still not is happening in a serious manner.

People Movements and Identity

A number of people's movements took place in Bangladesh that aims to ensure more equitable and sustainable way of water resources management. The people's initiative like TRM (Tidal River Management), people's initiative for identifying and enlisting 22 illegally occupied canals in Khulna, people movements to save Arial Beel in Srinagar (Dhaka), Baral river movement in Bogra-Sirajganj, movement for excavating river Jamuna in Satkhira, movements and initiatives against FAP are some important water related movements in Bangladesh. Better understanding (through research activities) of these movements may provide valuable advocacy points for institutions and policy makers for taking up efficient water projects. Commissioning research activities on this water related movement.