



UNIVERSITY OF
BIRMINGHAM

School of Public Policy

International Development Department

Role of Local Government in Supporting Community Management of Rural Water and Sanitation Services in Peru

Mariella Bazán Maccera

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*“Water and sanitation services is a mean to give humanity to our lives”
(Interview to Soto, 2006).*

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Executive Summary

The sustainability of rural water and sanitation services is one of the main challenges to be faced by governments, NGOs, and international donors in order to reduce the poverty, improve the quality of life and through that achieve the Millennium Development Goals in 2015.

For this aim, the role of the community management in the administration, operation and maintenance of rural water and sanitation services -once the infrastructure project has finished- is essential. However, community management may fail unless there is an institutional support framework that can provide the correct support over the long term. Therefore, within these institutions, the role of the local government encouraging and strengthening the community management is a key element for a sustainable model.

This study focuses on the rural localities of Peru where the community management approach is already in place, analyzing the role of local government in supporting the community management for the efficiency and continuity of the service, as well as the national conditions that frame this support.

For this purpose, the study is supported by an extensive literature review and interviews with key actors of the national programmes, NGOs and international donor's agencies that work on this topic.

The study is divided into five chapters. Chapter One is the introduction which presents the research purpose, the importance, limitations and structure of the study. Chapter Two analyses the different approaches that had influenced RWSS and the concepts of community management, institutional support mechanism and the role of local government within this concept. Chapter Three identifies the legal, fiscal and administrative, political, and sociocultural framework for the role of the community and local government in RWSS in Peru. Chapter Four discusses the role of the local government in supporting community management in Peru through the analysis of the strengths and weaknesses of their role. Finally, Chapter Five offers conclusions and recommendations from the whole study.

The results of this study show the very little or often inexistent support of the local government to the community management. This situation is explained through the

structural weaknesses in the institutional support mechanisms due to several reasons: weak decentralization reform; confused legislation; lack of coordination and a institutional structure for the support and assistance; imposed models without considering the opinion and culture of the people; lack of capacity development and resources in local governments; no priority towards WATSAN support in local government budget; weak water committees and users that are not able to push for reforms; and a unstable political context that always is sabotaging any progresses obtained.

In spite of these findings, the study recognizes the importance of the local government in a sustainable, efficient and equitable service. However, it is highlighted that without an enabling environment this support and assistance will not be possible in the long term.

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Acronyms and Abbreviations

A&O&M	:	Administration, operation and maintenance
APRISABAC	:	Project for the Primary Attention of the Health and Basic Sanitation in Cajamarca (Proyecto de Atención Primaria de la Salud y Saneamiento Básico en Cajamarca)
CCL	:	Local Coordination Council (Concejos de Coordinación Local)
CONSUDE	:	Switzerland Agency for the Development and Cooperation (Agencia Suiza para el Desarrollo y la Cooperación)
CORSAB	:	Regional Committee for Basic Sanitation (Comité Regional de Saneamiento Básico)
DIGESA	:	General Direction of Sanitation (Dirección General de Saneamiento)
DNS	:	National Direction of Sanitation (Dirección Nacional de Saneamiento)
DNSR	:	National Direction of Rural Sanitation (Dirección Nacional de Saneamiento Rural)
EPSS	:	Municipal Enterprise for Sanitation Services (Empresas Prestadoras de Servicios de Saneamiento)
FONCODES	:	Compensation Fund for Social Development (Fondo de Compensación para el Desarrollo Social)
FONCOMUN	:	Municipal Compensation Fund (Fondo de Compensación Municipal)
FONCOR	:	Regional Compensation Fund (Fondo de Compensación Regional)
JASS	:	Administrative Board for Sanitation Services (Junta Administradora de Servicios de Saneamiento)
ITDG	:	Intermediate Technology Development Group
ISM	:	Institutional Support Mechanism
LOM	:	The Organic Law of Municipalities (Ley Orgánica de Municipalidades)
MDGs	:	Millennium Development Goals

MINEDU	:	Education Ministry (Ministerio de Educación)
MINSA	:	Health Ministry (Ministerio de Salud)
MVCS	:	Housing, Construction and Sanitation Ministry (Ministerio de Vivienda, Construcción y Saneamiento)
NGO	:	Non governmental organization
PRES	:	Presidency Ministry (Ministerio de la Presidencia)
PRONASAR	:	National Programme for Rural Water and Sanitation (Programa Nacional de Agua y Saneamiento Rural)
OS	:	Supervisor Operator (Operador Supervisor)
OTS	:	Social Technical Operator (Operador Técnico Social)
PROPILAS	:	Pilot Project for the Improvement of the District Management and Sustainability in Water and Sanitation (Proyecto Piloto para Mejorar la Gestión y la Sostenibilidad Distrital en Agua y Saneamiento)
RWSS	:	Rural water supply and sanitation
SANBASUR	:	Project of Basic Sanitation for the South Highlands (Proyecto de Saneamiento Básico de la Sierra Sur)
SER	:	Educative Rural Services (Servicios Educativos Rurales)
SIAS	:	Sectorial Information System of Water and Sanitation (Sistema de información sectorial en agua y Saneamiento)
SUNASS	:	National Superintendence for Sanitation Services (Superintendencia Nacional de Servicios de Saneamiento)
WATSAN	:	Water and sanitation
WSP/WB	:	Water and Sanitation Programme – World Bank (Programa de Agua y Saneamiento del Banco Mundial)

CHAPTER ONE:

INTRODUCTION

Water and sanitation (WATSAN) services have an extraordinary impact on health, economy, environment, and gender and equity relations (Carter, Tyrrel and Howsam 1999; DFID 1998). In fact, the reduction of time spent collecting water (especially for women and children) and the reduction of the family income spent on buying water, create greater labor productivity and possibilities for new incomes. Moreover, the improvement in health and environment conditions directly affects the quality of life of the whole community. That is the reason why one of the main objectives of the Millennium Development Goals (MDGs) is the improvement of the access and quality of water and sanitation services as an important way to reduce poverty and build the basis for sustainable development.

This study focuses on rural water supply and sanitation (RWSS) services in Peru, considering rural areas as settlements that have populations of less than 2,000. Within this population, the new approaches give the community an important role in the design and management of the service. However, several experiences recognize that community management in itself is not enough to guarantee an efficient and sustainable service. Community management may fail unless there is an institutional support framework that can provide the correct support over the long term. Therefore, within these institutions, the role of local government in encouraging and strengthening community management is a key element for a sustainable model.

1.1 Objectives of the Dissertation

This study focuses its analysis on RWSS where a community management approach has been established in the locality for the A&O&M of the system. In this context, the purpose of the dissertation is framed around two major research questions:

1. What are the legal, fiscal and administrative, political, and sociocultural conditions that explain the allocation of responsibilities between community management and local government in RWSS in Peru?
2. Does local government provide real support to community management? If they exist, what are the strengths and weaknesses of this support? What are the specific

areas of such support? And if this support does not exist, what are the reasons for this vacuum?

In this sense, the focus of analysis will be around the effectiveness of the institutional arrangements for the sustainability of RWSS.

1.2 Importance of the Topic

The aim of this study is to contribute to the understanding of the new trends that national and local governments, as well as civil society should play in the decentralization process of RWSS systems. The high incidence of poverty in Peru and the poor conditions of the RWSS demonstrate the need to improve their management and sustainability. It is important not only to clarify the role that each actor may play, but also to strengthen the interconnection between them in order to provide an equitable, efficient and sustainable WATSAN service and, therefore, the improvement of the quality of life of the whole population.

1.3 Methodology

The study is supported by secondary data related with experiences of community management mainly from Latin America, as well as field reports and evaluations from WATSAN programmes and projects implemented in rural areas of Peru.

In addition, in order to have a better idea of what was happening in the field, this study has gathered the experience of seventeen key actors from governmental programmes, NGOs and international donor organizations related to the problematic of RWSS and with professionals working directly with water committees and local governments in Peru.

1.6 Research Limitations

In spite of the contribution of this dissertation, the fact that the main actors of this study were not interviewed is an important limitation that needs to be considered. For a complete overview of this topic, it would be important to carry out field research that could collect qualitative data from members of the local government and water committees in order to have a real idea of what it is happening in the field.

1.7 Structure of the Dissertation

This study is divided into five chapters. Chapter Two analyses the different approaches that had influenced RWSS and the concepts of community management, institutional support mechanism and the role of local government in this framework. Chapter Three identifies the legal, fiscal and administrative, political, and sociocultural conditions for the role of the community management and local government in RWSS. Chapter Four discusses the role of local government in supporting community management in Peru through the analysis of the strength and weaknesses of their role. Chapter Five offers conclusions and recommendations from the whole study.

CHAPTER TWO:

LITERATURE REVIEW

2.1 Introduction

One of the key challenges in RWSS programmes has been how to guarantee a sustainable service. In spite of the huge amount of money that governments and international agencies have invested in WATSAN infrastructure (see appendix N°2), after a number of years, many RWSS systems face a variety of problems related with technical, financial and management issues.

This study will understand sustainability as “whether or not something continues to work over time” (Carter, Tyrrel and Howsam 1999, 7). In the case of WATSAN, we will be able to say that a project is sustainable if the water system still working in the same rate and quality as when it was designed or whether the sewage and wastewater disposal systems continue to improve and still being used by the community.

Often, the causes of non-sustainability are related with the role that each actor is assuming within the process and the kind of approach that has framed the design and implementation of RWSS programmes. Therefore, different approaches that have driven RWSS programmes will be analyzed in this chapter as well as the discussions around the concepts of community management, institutional support mechanism and their role in RWSS.

2.2 Approaches towards RWSS

In the past, governments, NGOs, and international agencies have made assumptions that have influenced the way in which they have worked in RWSS programmes in developing countries. Parker and Skytta (2000) classified these approaches into three: the top-down; the community-based and the demand-responsive approach.

The top-down approach is characterized by centralized management according to specific standards and available resources, whereby government agencies decided which communities should receive what kind of WATSAN services. Thus, these institutions

assumed the community as a passive group, incapable of deciding by themselves, and that is willing to receive any kind of products or services. In this kind of project, the centralized agency is responsible for the design, implementation and maintenance of the services and therefore, the community receives the service free or at very low cost. In several cases, the community is not organized around water committees or if they do exist, they are very weak.

The community-based approach is related with a new orientation in which the projects incorporate the participation of the community in the design and implementation of the services with a rights-based approach. However, this approach did not give an equal importance to the duties of the community and the necessity to promote a real responsibility towards the WATSAN systems in the long term.

Finally, the demand-responsive approach focuses on what users want, what they are willing to pay, and what they are able to sustain. In this approach, community intervention is part of a partnership in which the community is not only expected to participate in the design and implementation of the infrastructure, but also to decide the type and level of service that they are willing to pay for and the contribution - cash or labour force- that they will commit, including the responsibility to organize themselves for the A&O&M of the systems.

Moreover, in a parallel process, a cross-cutting element that had been discussed in RWSS experiences is the integrality of the model. In order to maximize the impacts and benefits within the communities, water infrastructure cannot be conceived in an isolated way. It is important to recognize that water supply should be together not only with sanitation technology (at least in the sense of sewage disposal), but also with hygiene education and environmental aspects. These four are the foundation stones of good and sustainable WATSAN programmes.

Thus, nowadays it is recognized that it is not enough to provide water infrastructure to the community if you have not addressed the attitudes and behavior of the people towards their hygiene and water use. For this purpose, the provision of long-term support to communities requires an understanding of how these communities define themselves, use their resources to survive, govern or manage themselves, and define illness and health (Yacoob and Rosensweig 1992, 12). This is important in order to generate services and training that could really be representative of the people and their needs. Therefore, the incorporation of an "integral model" is a central feature of the demand-responsive approach.

This process of working from top-down through demand-responsive approach has discovered the centrality of the community management in the articulation of their needs and priorities. Therefore, it is essential to understand what community management means, their functions and limitations within RWSS.

2.3 Community Management in RWSS

As an answer to the failure of the top-down approach, due to the incapability of governments to match with the needs of rural localities, a common belief started to spread within the international agencies and governments since 1980s. They recognized that development interventions could not be effective, efficient and sustainable if the people concerned do not participate. Thus, participation will bring advantages for both the community and the support agency through being more responsive to the needs of the poor, improving the maintenance of community assets, and creating a more informed and involved citizenry capable of undertaking self-initiated development activity (Mansuri and Rao 2003, 2).

Community management is conceived as a way in which the community is in charge of their own WATSAN system through local organizations such as water committees, water boards or traditional organizations that could accomplish the required tasks for the A&O&M of the system. However, this does not mean that the community do everything themselves. The most effective community management is an evolving partnership, in which a water committee obtains the resources from within the community, and complements them with the necessary resources from other communities and a variety of other external organizations or potential partners such as government agencies, NGOs or private sector.

This study will use the concept of community management instead of community participation because rather than simply being a form of 'super-participation', community management may instead be seen as a major vehicle for transforming the basis of basic service provision from a top-down to a partnership approach where participation is a key element but not the only element, thereby, ownership, control, and cost sharing are other components of the same concept (Lockwood 2004, 8). This implies building up local capacity, empowering the people, strengthening their organizations and opening spaces for dialogue and negotiation among actors, in other words, to encourage a demand-responsive approach.

The community and external organizations are involved in several decisions¹. Therefore, the combination of both sides working in partnership will boost the resources that each one can provide, resulting in the most effective way to develop a sustainable WATSAN system.

In this way, it is important to analyze the scope of responsibilities of water committees and their needs in order to be aware of the type of support that they will require in their daily operation.

2.4. Functions of Rural Water Committees

Water committees² are the local organizations in charge of the A&O&M of the WATSAN system and are the key actors for the community management. The tasks that these organizations need to accomplish are mainly around four dimensions: operation and maintenance; administration; promotion; and representation of the interests of the community.

The operation and maintenance tasks are related with the daily supervision of the infrastructure, preventive and corrective repairs. The administration dimension is related to the responsibility to organize and manage the collection and use of funds and keep accurate records of the payments and expenditures. The promotion dimension is related to encouraging the hygienic and effective use of the facilities through workshops, house visits or communication resources. Finally, the representation dimension is linked with the necessity of the water committees to represent the community in relations with the partnership agency and the government, as well as to keep users informed of the A&O&M activities and finances, and to mediate within any conflict related to the water services.

However, the role of water committees may vary depending on the type of leadership within the organization, the community cohesion, training or education spaces for the members of the committee, openness of the organization to share and incorporate learning of other experiences, and the level of responsibility of the user to pay the cost of the service.

¹ For example, the selection of water sources and setting water supply facilities; the technology to be used and level of service; the local organizational structure needed to manage the system, including the establishment of a water committee and the appointment of caretakers/mechanics; rules of access, protection and use; or the resources which are to be mobilized and the means by which costs are to be covered (Evans and Appleton 1993, 7).

² Also can be called users' associations of water, JASS or water's boards.

All these tasks require strong organizations capable to affront the diverse responsibilities described above, as well as an enabling environment that could guarantee the sustainability of their role within the WATSAN system. Thus, it is important to understand the concept of institutional support mechanism and the role of local government in the assistance of community management.

2.5 Institutional Support Mechanism in RWSS

It is now increasingly recognized in developing countries that the majority of rural communities will be unable to manage their own water supply systems without some form of additional support, especially in the first years after the systems have been constructed (Lockwood 2004; Parker and Skytta 2000; Carter, Tyrrel and Howsam 1999; Yacoob and Rosensweig 1992; Edwards 1988). The system designed to provide backup and assistance for the full range of issues and constraints that affect a community managing RWSS will be called Institutional Support Mechanism (ISM)³ (Lockwood 2004, 12). This support will address the tasks and activities that the community cannot always be expected to fulfill by themselves and is the key factor that will guarantee real sustainability⁴.

Normally the four areas in which external agencies such as regional or local government, NGOs, private sector or water committee associations could intervene for the support of the community management are: technical assistance; training; monitoring and information collection; and coordination and facilitation support as it is detailed in Box 1.

³ The concept of “institutional support mechanism” is located in the intermediate level.

⁴ For example, as Lockwood (2004) argues, rural communities can be expected to handle about 80% of what is required to sustain their systems, but will always need assistance with the remaining 20% of tasks⁴. The 80% of their tasks are normally responsibilities related with A&O&M; promotion; and representation of the interests of the community. However, the 20% of tasks may refer to major repairs, when specialized tools or major system components are required, or when is a breakdown of the management structure. In these cases, some level of external assistance will usually be required.

Box 1: Roles of the institutional support mechanism

a) **Technical assistance:** related to providing advice on a range of topics. The aim of this advice is not to replace the water committee or to carry out routine tasks, but to offer guidance to the relevant committee's members about when this should be done, who should do it, how to do it, and where spare parts are available. One of the key areas of technical assistance is related with setting tariff levels and auditing the accounts of the water committee. Moreover, another important contribution of this support could be acting as an independent arbitrator, giving advice and diffusing potential conflicts related mainly with the payment of tariffs or rights of access.

b) **Training:** It is important to generate periodical training to relevant committee members in a variety of disciplines from physical operation, maintenance of bookkeeping, hygiene promotion; legal frameworks, internal organization, and environmental issues related with water systems.

c) **Monitoring and information collection:** Monitoring the system's performance helps to have a feedback for remedial actions and to take better decisions at the local level about which communities require additional assistance and where to commit the time and resources of promoters.

d) **Coordination and facilitation support:** This role is useful to establish links between community structures and external entities, either from the state or private sector. This is an explicitly stated role particularly useful for more isolated and vulnerable communities, which may lack the necessary communication skills and contacts for a range of issues such as looking for spare parts, applying for a loan, presenting a funding proposal, seeking specific advice about a particular health problem, etc.

Furthermore, it should be noted that a very important role of this support is fulfilled simply by visiting a community and providing encouragement. Having someone that takes an interest in their work is very uplifting for the members of water management committees. After all, committee members often face difficult dynamics within the community and, in many instances, are unpaid volunteers. Therefore, the value of the moral support provided by a periodic visit from an outsider should not be underestimated (Lockwood 2002, 26).

All this type of support requires a permanent presence in the localities that frequently central agencies are not able to provide. Therefore, in order to satisfy these requirements it is important to focus on the decentralization process and the role of intermediate levels, in particular, local government within RWSS.

2.6. Role of Local Government in RWSS

Experiences in many developing countries have shown the limitations of centralized management. The disrepair and disuse of the systems and the high cost for running existing

programmes were expressions of why centralization of RWSS was often related with poor performance, low efficiency, and little access to the poorest population (Evans and Appleton 1993, 1; Parker and Skytta 2000; Lockwood 2002). This failure of the top-down approach in RWSS and the local nature of WATSAN services have generated new trends to boost the decentralization process, and therefore the transfer of responsibilities to lower levels of government as well as to communities.

This transfer of responsibilities has implied building capacity at the lower level to be able to assume the new role within the WATSAN systems, and to understand the importance of community participation, the role of water committees, as well as their limitations. This knowledge might help them to build a strong institutional support mechanism that could complement the weakness of the community organizations.

Within these lower layers, the role of local governments building the framework for the institutional support mechanism is essential. This level of government is better placed to be closer to the people and, perhaps more importantly, to provide support in the longer-term to WATSAN systems (Lockwood 2004, 14). In this study, local government and municipality will be used indistinctly to refer to the area delimited by a district.

The support that local governments need to fulfill in RWSS can be directly, by their own human resources through a unit or municipal office of WATSAN; or indirectly, promoting the incorporation of private organizations for the support of the community such as NGOs, local entrepreneurs or water committee associations. If the assistance is given by an external organization, the role of the municipality will be to monitor the accomplishment of targets and to facilitate the conditions for these tasks.

2.7. Conclusion

The concepts and approaches discussed in this chapter intend to help in the understanding of the new trends implemented in developing countries. Understanding what kind of approach each country is using, how they consider community participation and its role in RWSS and the type of support given by the local government are the main questions that this study wants to answer in the context of Peru.

Therefore, Chapter Three will analyze the national framework in which community management and local government operate in Peru.

CHAPTER THREE:

CONDITIONS AFFECTING THE PROCESS OF RWSS IN PERU

3.2. Introduction

In order to understand the relationship between local government and community management it is important to analyze the national background that has influenced the policies and national reforms, the development of rural areas, the process of inclusive community management, as well as the changes in the role of local government within RWSS.

The term “rural areas” is not a unique reality. This implies a diverse type of activities and persons located in low population density areas, usually distant from urban centers⁵. But there is no natural dividing line based on a set of characteristics. The changes from very remote towns to the largest city are often gradual. Therefore, there is no standard definition of rural areas used in policy, research, and planning. What is referred to as “rural population” reflects each country’s official statistics, with country-specific definitions and criteria, without reference to any international standard. Thus, in Peru rural population is considered as the population counted in localities having fewer than 2,000 inhabitants (CELADE 1999; Bodero 2003).

The definition of rural population is important because one key contextual element that influences the design and development of a community management approach and the role of local government is the level of “ruralness” of the specific population⁶ (Lockwood 2002, 58). If the locality is a compact village or scattered settlements this will determine the type of community organization, external support and specific technology selected of a variety of options as it is showed in Box 2.

⁵ The rural areas could be divided into “concentrated rural” in which the houses are located at a distance of less than 50 metres from each other and “rural dispersed” in which the houses do not have any defined pattern and are located between each other with a distance of more than 50 metres.

⁶ For example, in Peru there are differences between those rural populations living in isolated and poor rural communities in the Highlands region and those living in the relatively more developed rural parts of the Coastal region which are much more integrated with the urban, cash-based economy.

Box 2: Type of Technology used in Rural Water and Sanitation Systems

Depending on the level of “ruralness” and external support, the technologies could range from a capped spring that feeds gravity distribution systems, borehole, protected springs or wells, collected rain water, to deep wells equipped with electric pumps and a distribution system consisting of a storage tank and pipelines, to household connections. In sanitation, the alternatives range from the simple pit latrine, ventilated improved pit latrine, septic tank, pour-flush, to sewer connection. Given this range of technological choice, the fundamental maxim is that the technology needs to be compatible with the beneficiaries’ ability to handle and finance it. If repairs are too expensive it is better to find another kind of technology and if it is too complex for them, the responsibility would have to be shared with other actors (Brikke 2000).

Therefore, this chapter focuses on understanding the specific context of RWSS in Peru. First, an overview of the situation of RWSS is presented and second, an analysis of the legal, fiscal and administrative, political, and sociocultural conditions that have affected the national process and current situation of RWSS in the country.

3.2. Overview of Water and Sanitation Systems in Peru

Peru is South America’s third largest country, with an area of 1’285,215.60 Km² (see appendix N°1). It is divided into 25 regions, 194 provincial municipalities and 1,828 district municipalities. The country has three geographical regions: Coast (where the capital, Lima, is located), Highlands (or “Sierra”), and Forest (“Selva”). It is a constitutional republic with a unitary form of government and a formal division of power between the executive, legislative and judicial branches.

The total population is around 28m, of whom 7.7m live in rural areas (27.4%) conforming around 5,084 localities less than 2000 inhabitants (MVCS 2006) as it is showed below:

Table N°1: Population Rates of Peru (in millions)

	2000	2005	2010	2015	2020	2025
Peru						
Total Population	25 939	27 947	30 033	32 184	34 310	36 303
Urban Population	18 647	20 298	22 017	23 762	25 529	27 240
Rural Population	7 292	7 659	8 016	8 422	8 780	9 062
% of Rural Population	28.1	27.4	26.7	26.2	25.6	25.0

Adapted from Latin American and Caribbean Demographic Centre (CELADE) - Population Division (2005). Demographic Bulletin. Latin America: Urban and Rural Population Projections 1970-2025.

Peru is a middle-income country, with high levels of poverty: 52% of poverty and 20.7% of extreme poverty (Statistic and Informatics National Institute, 2004). However, these conditions are relatively worse in rural areas: the poverty in urban areas is 40.3%, whereas in rural areas it is about 73.6% as it is showed in Table N°2:

Table N°2: Incidence of Poverty and Extreme Poverty in Peru (*)

	2002	2004
Poverty		
Total	54.3	52.0
Urban	42.1	40.3
Rural	77.1	73.6
Extreme Poverty		
Total	23.9	20.7
Urban	9.7	8.9
Rural	50.3	42.5

(*) Population with at least one basic need unsatisfied

Source: Statistic and Informatics National Institute - INEI ENAHO-IV: 2001/2002, 2003/2004.

These indicators show the urgency to counter in the causes of rural poverty, in which WATSAN services have a central role.

Related to the coverage of RWSS, only 62% of the 7.7m rural population, have access to water and only 30% to sanitation services as is showed below:

Table N°3 Peru: National Coverage of Water and Sanitation, 2003

	Population	Water		Sanitation	
		Millions	%	Millions	%
Urban	17.8	14.4	81	12.6	71
Rural	9.0	5.6	62	2.7	30
National	26.8	20.0	75	15.3	57

Source: Housing, Construction and Sanitation Ministry (2003).

In general, these services are characterized by low quality, with the average daily provision of water at only 2 hours. There is an absence of sanitation systems, high debts of the users, with the municipality subsidizing around 80% of the total cost of existing systems (PAS-BM, 2000). There is also general dissatisfaction about the service with many complaints about the dangerous impact on health.

Moreover, the main source of water in rural areas is from rivers or spring water, without any treatment. Regarding the elimination of excreta, the main practice is to collect in open fields, in the agriculture land, or near the river contributing to the contamination of the water, soil, and food. In addition, there are few experiences of treatment of solid waste in rural areas. Hence, these practices cause several diseases and death in the localities (Gil 2005, 5; Calderon 2004, 8).

In spite of the huge amount of money invested in RWSS in the last decades (see appendix N°2) and the important increase in terms of service coverage, within a few years this new infrastructure and its operation have presented several difficulties. Nowadays, only 12% of the systems are in good condition, the rest are in regular (65%) and bad conditions (22.8%) (Calderón, 2004), as it is presented in Table N°4.

Table 4: Peru: Sustainability of Water and Sanitation Services

%	Good	Regular	Bad	Not Working
General	12.0	65.2	15.2	7.6
Coast	0.0	80.0	10.0	10.0
Highlands	18.2	68.2	13.6	0.0
Forest	0.0	41.7	25.0	33.3

Source: MVCS (2003).

The lack of sustainability of rural systems can be explained by the centralized management and lack of involvement of the local actors in the whole process. Nowadays this is the main challenge in WATSAN programmes.

Moreover, there is a national process of the WATSAN sector summarized in Box 3.

Box 3: Peruvian National Framework of RWSS

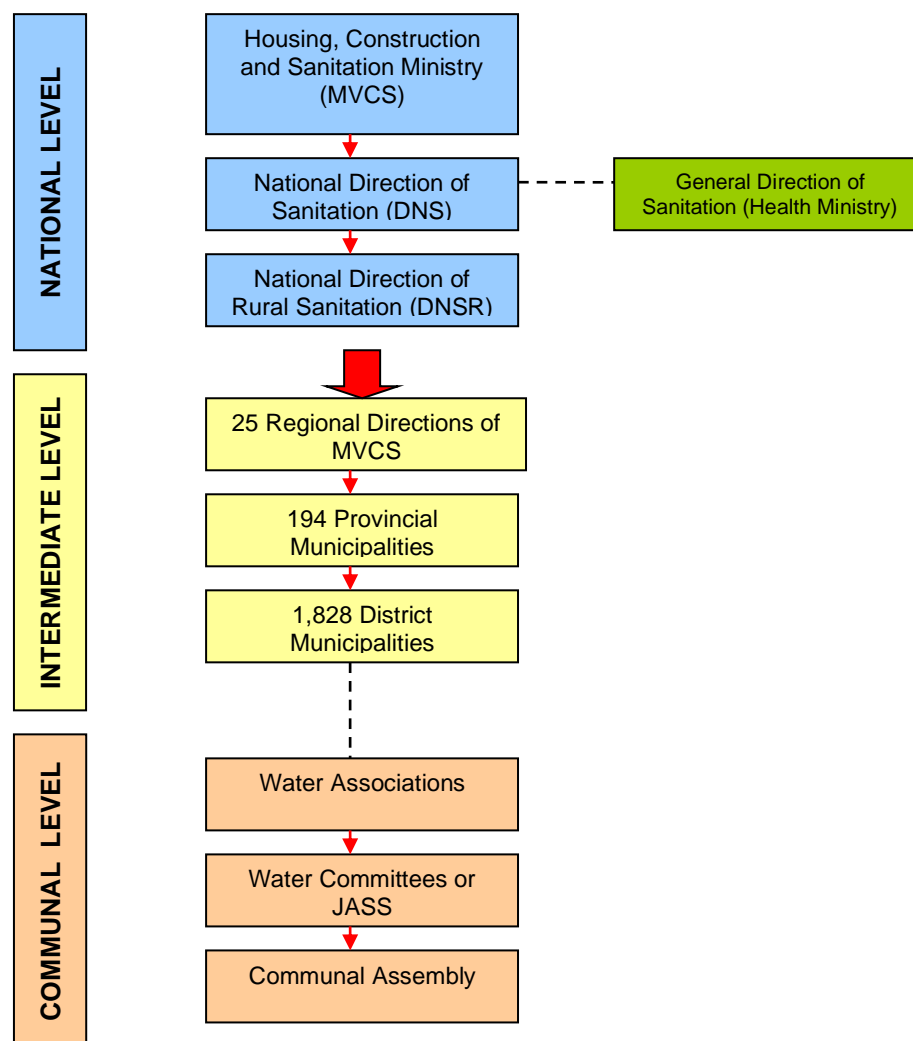
In Peru, the institutional structure of RWSS sector has suffered several changes. In the 70s the sector in charge of urban water and sanitation services was the Housing Ministry and for the rural areas the Health Ministry (MINSA). In the 90s, as part of the state reform, the entity in charge of the direction of the whole WATSAN sector was assigned to the Presidency Ministry (PRES) and the regulatory body for urban and rural areas was assigned to the National Superintendence for Sanitation Services (SUNASS). In the same reform, the General Law of Sanitation Services (N°26338) gave the responsibility for the attention of RWSS systems to the local municipalities and the administration of them to the Administrative Boards. In addition, in this time, the government created the institution responsible for the administration of social investment funds for rural areas named Compensation Fund for Social Development (FONCODES).

Actually, the national policy is directed by the Housing, Construction and Sanitation Ministry (MVCS) created in 2002, and directly by the National Direction of Sanitation (DNS). During the period of this study it has created the National Direction of Rural Sanitation (DNSR) as part of the new reforms that the elected national government is implemented. The General Direction of Sanitation (DIGESA) from the Health Ministry is the institution responsible for the regulation of the water quality and environment protection in urban and rural areas.

The main national pilot programme working in the rural areas of Peru is the National Programme for Rural Water and Sanitation (PRONASAR) created in 1999. Complementing its work, there are other pilot projects mainly in Cusco (SANBASUR and APRISABAC) and Cajamarca (PROPILAS) that are being supported by international agencies. In addition, there is also an important presence of NGOs working in the regions that complement the work of the government.

Thus, the present institutional structure of RWSS in Peru is summarized in Figure N°1:

Figure N°1: Peruvian Structure of Rural Water and Sanitation Sector



To sum up this overview, Peru presents several challenges with regard to RWSS: around half of the population is living in extreme poverty, with little or no provision of basic services, low quality and low sustainability, as well as weak presence of the state institutions that could contribute to human development in an integral way. Hence, there are around 8m people who are expecting for better conditions and looking for new alternatives to their situation. For this reason it is important to understand the legal, fiscal and administrative, political, and sociocultural conditions that underpin this context.

3.3. Legal Conditions

This section focuses on the legal conditions that affect local government and community management in rural areas.

3.3.1. Legal Framework for the Role of Local Government in RWSS

The provision of RWSS services has a legal framework with laws and regulations that frequently overlap with each other⁷.

The Organic Law of Municipalities (LOM) gives the administration of RWSS to both the district and provincial municipalities depending of their capacities. However, in reality both levels are very weak and without resources, in addition it is not clear which institution will decide who will manage the service. Moreover, the LOM defines the responsibility of the provision of RWSS services to the municipalities when the Sanitation Law (given by the Health sector) gives the administration of the system to the water committees. Thus, this legislation produces several confusions and conflicts within levels and sectors that have the result that none of them will finally be responsible.

Another important omission of the LOM is that it does not mention anything about the relationship between municipalities and water committees. Therefore, it is vague which institution is in charge of the support and supervision of the water committees.

Furthermore, the legal ownership of the RWSS systems is not defined in the General Law of Sanitation. It is unclear if the owner is the municipality or the community. In the general legislation, the systems constructed with state budget are part of the state. However, the communities feel owners of the systems because they are the ones who operate and maintain them. Until now there is not a general consensus in this topic (Calderon 2004, 20).

In order to promote citizen participation in the whole management of the services the LOM establishes the requirement that each municipality needs to create a Local Coordination Council (CCL)⁸. This institution is in charge of the coordination and elaboration of consensus

⁷ There are four main laws that define the framework of RWSS sector: First, the General Law of Sanitation Services in 1994 (N°26338) that give the responsibility of the provision of the water systems to the provincial municipalities. Second, the Constitutional Reform Chapter XIV (Title IV) referring to the decentralization process in March 2002 (N°27680) that establish that the local government is responsible for the development and regulation of health, education, housing and sanitation services. Third, the Core Law of Decentralization in July 2002 (N°27783) which specifies the exclusive competencies of the municipalities in the administration and regulation of local services. Four, the Organic Law of Municipalities in May 2003 (N°27972) that gives to the provincial municipalities the competencies -directly or by concession-, for the administration of the local services (including water systems) when is more cost-effective that a provincial level assume this responsibility because of scale economy or when the district municipalities are not able to be in charge of the services.

⁸ The CCL is an advisory local institution integrated by the major, the councilors and representative of the civil society (productive organizations, social base organizations, peasants and native communities, neighborhood boards) in a proportion of 40% of the total members of the CCL.

through the District Municipal Development Plan and the Participatory Budget. Both documents should be the guide for all social and economic investment in the locality. In both processes, the participation of civil society is essential. WATSAN projects need to be discussed and included throughout this process⁹.

Finally, the promulgation of the Organic Law N°27867 in November 2002 related to the conformation of Regional Governments, assigns them the responsibility to formulate, approve and evaluate the regional plans and policies related with WATSAN projects. These new responsibilities are not included in the General Law of Sanitation. In spite of these new responsibilities, the institutional weakness of the regional governments and the confusion of competencies among levels produce a general vacuum for the strategic formulation of policies.

Almost all the new institutions and laws referred to RWSS are related within the context of decentralization and state reform started in 2001. Therefore, in spite of their creation, the challenge now is to consolidate them in the daily structures and routines of the institutions. Moreover, it is important to analyze the legal framework referring to the functions allocated to the community organizations in RWSS in order to complement the whole legal overview.

3.3.2. Legal Framework for the Role of Community Management

The General Law of Sanitation entitles the community to establish communal organizations for the A&O&M of the RWSS. In addition, the LOM gives to the municipal councils the responsibility to promote the creation of neighborhood boards in charge of the supervision of the provision of services and the general accomplishment of municipal norms.

The communal organization in charge of RWSS is named Administrative Board for Sanitation Services (JASS), and is conformed by all the members receiving the service: the General Assembly (the maximum authority), and this assembly elect every two years a Directive Council to A&O&M the systems.

In addition, the Regulation Law N°26338 assigned to the National Superintendence for Sanitation Services (SUNASS) the responsibility to regulate the operation of the JASS in urban and rural areas. However, due to the centralized characteristic of the SUNASS both

⁹ Before the elaboration of the District Development Plans, the provincial CCL is responsible for gathering it all and building a Provincial Municipal Development Plan, which together with the other provincial plans are the main source for the Regional Development Plan. This process is very important to create a single regional vision and to design strategies that could match with the priorities and needs of the districts and provinces.

roles were impossible to accomplish. Therefore, in 2005, there was a modification of the rule¹⁰ which translates the responsibility to register the JASS to the local governments and limit the regulation functions of the SUNASS only to the municipal enterprises in urban areas. Hence, now there is a vacuum related to who will regulate the WATSAN systems in rural areas.

The Operative Plan, the Annual Budget, and the amount of household contributions are designed by the Directive Communal Council of the JASS and approved by the General Assembly.

The main source of incomes for the JASS is the monthly household contribution. This income is invested mainly for the daily A&O&M of the system.

In general, the elaboration of the Regional and Local Development Plans and the Participatory Budgets should be the spaces where the local government and the civil society can sit together to discuss their problems and priorities. However, the law is not clear, not only about the role of local government in the administration of RWSS, but also about the links that should be established between local government and the JASS. Some of these vacuums can be explained because of the difficulties presented in the fiscal and administrative dimension.

3.4. Fiscal and Administrative Conditions

With around 2,000 district and provincial municipalities, Peru has one of the lowest numbers of inhabitants per municipality in Latin America as it is presented in Table N°5.

¹⁰ Modification of the Rule of the General Law of Sanitation (D.S. 016-2005-Vivienda) the one had been incorporate to the Unique Text of the Rule of the General Law of Sanitation (D.S. 023-2005-Vivienda).

Table N°5: Ration of Population per Municipality in Selected Latin American Countries

	N° of Municipalities	Population	Ratio of Population per Municipality
Peru	1828 district municipalities 194 provincial municipalities	27, 947 000	15, 288.29
Bolivia	310	6, 420 000	20, 709.68
Nicaragua	154	5, 483 000	35, 603.90
Colombia	1,051	41, 000 000	39, 010.47
Ecuador	198	11, 000 000	55, 555.56

Source: Elaboration of the author

In theory this should create better representation of local government within its locality. However, in practice there are many differences between them which express huge inequalities¹¹: on one side there are a large group of municipalities with little resources and weak institutional development, and on the other side there is a small group of between 150 and 300 municipalities that have more incomes and the capacity to develop a better institutional structure¹² (Prats 2005, 54-55). Therefore, these small rural municipalities depend mainly on fiscal transfers from central government.

The main fiscal transfer mechanism for local government is the Municipal Compensation Fund¹³ (FONCOMUN) (see appendix N°3), of which 70% is earmarked for social infrastructure. In the case of rural municipalities¹⁴, the incomes coming from the FONCOMUN is around US\$7,000 per annum, which is less than 11% of the total disbursement by FONCOMUN (Calderón 2004, 27). In general, only 4% of the National Budget is spent by municipalities; the new proposal in the decentralization process would increase this percentage at least to 10%¹⁵ (Guerrero 2002, 15). Other important transfer for the municipalities is the Popular Kitchen and the Glass of Milk Programmes, as well as the mining cannon (see appendix N°3 and N°4).

¹¹ There are municipalities that have big size of territory with low population, and vice versa. For example, in the 1,828 district municipalities, only 75 municipalities represent 50% of the population.

¹² This inequality among municipalities –especially between rural and urban- is expressed by this percentage: 3% of the municipalities absorbed 40% of the total incomes for transferences (Comité Sectorial de Agua y Saneamiento, 2000).

¹³ This Fund is conformed by 2% of the General Sale Tax collected in a year.

¹⁴ Are around 964 rural municipalities and comprising 53% of the total.

¹⁵ 10% in comparison with other countries such as Bolivia (25%), Colombia (22%) or Ecuador (15%) is still low but can indicate a progress in the process.

Sometimes, especially for the smaller municipalities, the FONCOMUN and the social programmes are the only source of resources that they have. These municipalities are the ones who present the highest rates of poverty and low population density; therefore, they face severe difficulties to generate new incomes.

In addition, the decentralization process of Peru started in 2002 generates huge expectations by local government to receive better training and real support from central government in order to achieve the minimum requirements for the transfer of new competencies and functions. However, one of the main weaknesses of this process is that the transfer of responsibilities to lower levels have been carried out not only without strengthening their structures and capacities, but also without producing a real fiscal decentralization (Calderón 2004, 27).

Moreover, in a study from the National Direction of Sanitation (2001), from 70 rural communities assessed, 79% of the water systems were administrated and operated by JASSs, 13% by the municipality, and 8% by no-one. It is estimated that in rural areas there are around 10,500 communal organizations in the form of JASS, Water Committees or Users Associations of Water. However, due to the absence of regulation the statistics are not accurate and there is no information system that can help for the following up of the communal organizations. This lack of information makes it very difficult to create national and local policies for the support of these organizations.

Thus, the small budget, the little improvement in local government's capacity, and the lack of support to local government and communal organizations has produced structural weaknesses in their role within WATSAN programmes. These weaknesses may also be explained through a better understanding of the political framework that has influenced the national and local processes.

3.5. Political Conditions

During 1990s investment allocated to RWSS programmes was around US\$337m (MVCS, 2004) (see appendix N°2). This budget was administrated mainly by the Presidency Ministry (PRES) through FONCODES which established offices in almost all the districts of the country. The management of this institution was characterized by a strong centralization of decision-makings and the establishment of a direct relationship between central government and communities. Therefore, FONCODES established a communal management model

through the JASS forgetting completely the role of local governments that by law were assigned responsibilities for the sector.

This centralist management was reflected later in a strong central subsidy for new infrastructure (97% of total investment); lack of consultation to communities and local government about the appropriate technology and management of the system; lack of an integral model that could integrate infrastructure with sanitation, health and hygiene education; lack of incorporation of good practices in new investments; weakness related to A&O&M of the systems; lack of training to the JASS once the infrastructure was completed and without any support over the long-term; lack of incentives for private sector participation; and lack of national, regional and local spaces where actors and sectors could produce agreements for local policies and strategies. In these times it was important to inaugurate infrastructures projects and gain votes, without any concern for what would happen later.

Moreover, this centralization was mirrored in the authoritarian and paternalistic form of government linked with a passive and weak communal organization. The interference of the central authority into all spheres of local development was absolute, thus halting the incipient decentralization process that the country was undergoing during those times.

As a consequence, this top-down approach generated an increment in the coverage of the systems but with a very low sustainability. None of the local actors were prepared for the cost and responsibilities that these systems implied. Therefore, the rapid increase of coverage of WATSAN systems was in detriment of their own sustainability.

Since 2003, this top-down approach has been abandoned. The incoming government of President Toledo created a new national structure for WATSAN programmes, complemented with the new responsibilities of the regional and local governments due to the new decentralization process started in 2002.

Furthermore, the passive role of the communities during the past decade has weakened their local organizations and the empowerment of users. This weakness is worsening in localities with low density. For these rural and poorest populations, to participate in local organizations or in participatory spaces bring to them huge costs. There are not strong water committees that could demand larger budgets from local government, and demand that the FONCOMUN be re-oriented to the investment of WATSAN programmes, and to support their communities.

Historically, the urban area is the one that have received the greater share of the budget and is where the policies normally are implemented. Thus, the big challenge in this new process is to strengthen the representativeness of the rural population, in particular of the JASS, in order to raise their demands and make explicit their needs.

The role of local governments and community organizations in RWSS has been adapting to the current context of decentralization in the country. This process is just starting, therefore, the actors will need a better clarification of the legal framework and to pressure the local and national authorities in order to consolidate their own role. In these challenges, it is essential to consider also the sociocultural conditions related with RWSS.

3.6. Sociocultural Conditions

Peru has strong indigenous communities living mainly in rural areas, with a long-standing tradition of working together for the benefit of the community. These communities are governed by decisions taken within Community Assemblies: their maximum authority and the pivot of their community life. These spaces are the ones that water committees normally use for the approval of the annual plan, the elections of the council directive members, and the general discussions needed for the A&O&M of the systems.

Sometimes the WATSAN programmes have ignored the existence of these organizations, creating JASS without the approval of the community. These practices have damaged the traditional structures, generating jealousy and confrontation within the communal organizations. The legitimacy of the JASS is essential for the sustainability of RWSS programmes. Therefore, it is important to use the correct means for their establishment and day-to-day operation.

In addition, the political violence in the country in the last twenty years (1980-2000) disproportionately affected the rural and poorest localities. Its main impacts were: the destruction of infrastructure and social networks, weakening of the local authorities and communal organizations, distrust of authority, and in general, a total distance between the state and communities.

Moreover, it is crucial to consider the relationship between human beings, land and water. The earth or “Pachamama” is considered to be sacred and honored as the main life resource

for humans, animals, and plants, all of which are seen as parts of a structured and interrelated whole of mutual respect, balance and reciprocity (WSP, 2).

There are several cultural values and fears related with the belief of rural communities. For example, for Andean people, latrines break their logic. The earth or “Pachamama” is considered sacred and holes must not be dug to deposit excreta in them. Additionally, a latrine is a small house where defecating is inconceivable, since houses are sacred. Fear of darkness is another important deterrent, as well as fear of holes among women and the presence of flies and other animals related to death and evil beings. Moreover, latrines are uncomfortable: they make people feel imprisoned or the stepping boards are too far from the hole, making the latrines difficult for women and children to use. The limitation to understand these cultural beliefs and world vision of indigenous communities have resulted in inappropriate technical and operation designs and therefore, unsustainable systems (WSP, 3).

The centralized approach used during the 1990s failed to create the links between infrastructure and hygiene education. These programmes gave little information about the benefits of WATSAN systems as well as the responsibilities that this would imply. In this process, they did not realize the importance of cultural and social aspects for an effective and sustainable transformation. Therefore, changes in approach need to be carried out not simply in terms of physical infrastructure, but rather in terms of behaviour, practices and respect for values.

3.7 Conclusion

This chapter has provided a general overview of the context of RWSS in Peru. The four dimensions analyzed highlight the challenges that this sector faces. A summary of the general conditions influencing RWSS is presented below:

Box N°4: Summary of the General Conditions Influencing RWSS in Peru

Legal Conditions
(-) Chaos in national regulation: Laws and regulation overlap each other related to the roles of provincial and district municipalities for the provision of WATSAN services
(-) The law do not specify the type of relationship between municipalities and JASS
(-) Not clear the ownership of the rural systems
(+) WATSAN projects need to be discussed and approved in the District Development Plans
(-) The new roles of the Regional Governments are not included in the General Law of Sanitation
(+)The General Law of Sanitation entitles the community to establish water committees for the A&O&M of the water systems
(+) The law recognise the role of the community to administrate, operate and maintain the WATSAN system in rural areas
(+) Municipality register the JASS's organization
(-) There is a legal vacuum of which institution should regulate rural areas
(-) The law is unclear about the ownership of the RWSS systems
(+) The communal assembly elected each two year the members of the JASS
(+) The communal assembly approve annually the operative plan, annual budget, and amount of household contribution
Fiscal and Administrative Conditions
(-) Huge inequalities among municipalities in relation with resources and institutional development.
(-) Big gap between urban and rural municipalities
(-) Main source of funds for rural municipalities is central government transfer. They present huge difficulties to generate new incomes
(-) Transfer of responsibilities without strengthening local capacities, as well as without producing a real fiscal decentralization
(-) Lack of a information system: statistics are not accurate
Political Conditions
(-) Decades of centralist management: strong central government subsidy, lack of consultation to the local actors
(-) 1990s the decentralization process was interrupted: authoritarian government emerged
(-) Local government were ignored in the past models. The central government establish a direct relationship with the communities
(-) Lack of coordination among local actors
(-) Lack of support to the communities for the long-term
(-) Paternalistic and clientelistic behaviour. Main objective: built infrastructure projects and gain votes
(-) Increment in the coverage of the systems but with a very low sustainability
(+) In 2003: New national structure for WATSAN programmes
(+) New decentralization process started in 2003: New roles to regional and local governments
(-) Weak representation of rural areas in participatory spaces: due to lack of resources and distances
Sociocultural Conditions
(+) Presence of a strong indigenous group: quechua and aymara ethnic groups mainly
(+) Long tradition of communal organizations
(-) Past WATSAN programmes ignore the traditional organizations: create JASS without consultation and legitimacy
(-) Political violence affected mainly rural and poorest localities through destruction of infrastructure and social networks
(-) Limitations to understand cultural believes and world vision of indigenous communities generate unsustainable systems
(-) Lack of promotion activities: hygiene education was not part of the integral model.

In this process of decentralization, the RWSS sector needs to take advantage of the new opportunities that have been opened. Therefore, the next chapter will analyze the strengths and weaknesses of the relationship between community management and local government.

CHAPTER FOUR:
ROLE OF LOCAL GOVERNMENT IN SUPPORTING COMMUNITY
MANAGEMENT OF RWSS IN PERU

4.1 Introduction

The features of the last two decades in RWSS described in Chapter Three had helped the government and international agencies to recognize lessons and generate new consensuses about the importance of building an integral reform and strengthening their institutional framework for the access, quality and sustainability of RWSS.

Despite the limitations analyzed, we can identify also other kinds of experience –on a smaller scale- that have contributed through pilot projects to consolidated new models of intervention and management in the sector¹⁶. These projects are focusing on the importance of the community organizations and local government as main actors for the sustainability of WATSAN systems. This belief has implied a community that demands the system, which is aware of the consequences of poor access and quality of the water and is willing to pay for its improvement. Thus, for the institutions that are implementing the projects, this new approach has involved a hard job promoting the participation of the community not only for the construction of the infrastructure, but in particular for the A&O&M of the systems and changing their habits and behaviour through the promotion of hygiene education. The demand-responsive approach also involves the municipality in an active role of demanding the service, investing in part of the infrastructure and committing itself to support the JASS in the process of A&O&M.

Thus, in the process of establishing the demand-responsive approach, several strengths and weaknesses have appeared in the actors and the interrelationship between them. Understanding what is happening with them will clarify the present support given by the local government to the community management.

¹⁶ Over the past decade, the main governmental initiatives promoted by international and bilateral cooperation (in particular the Development Cooperation from Switzerland - CONSUDE and Water and Sanitation Programme - World Bank - WSP/WB) were the Project of Basic Sanitation for the South Highlands – SANBASUR in the Cusco region and the Pilot Project for the Improvement of the District Management and Sustainability in Water and Sanitation - PROPILAS in the Cajamarca region. In addition, there were international and local NGOs that until now have been working in RWSS such as ITDG, SER, Proagua-GTZ, Kausay, Plan International, CARE, among others. Moreover, as a summary of all the lessons, the government has been implementing since 1999 the National Programme for Rural Sanitation (PRONASAR). These new initiatives may be important opportunities for the country in order to achieve the MDGs.

For this purpose, seventeen telephone interviews were made to key stakeholders working in RWSS (see appendix N°5 and N°6) in order to have a better idea of what is happening in the field and to understand the main strengths and weaknesses of the JASS and of local government's role.

4.2. Role of the Community Management in RWSS

Once the infrastructure has finished, the JASS has the main responsibility to administrate, operate and maintain the WATSAN systems in their localities. In this process, the community presents several strengths and weaknesses related to their daily tasks.

4.2.1. Strengths of the Water Committees

The trend towards the A&O&M of the RWSS systems by the community is part of the influence of the decentralization process. This trend has linked with the long tradition of rural communities for communal and volunteer work. The structure and procedures that the rural communities use for their organization have helped very much with the decentralized model of management of the water system. This is an opportunity that needs to be boosted in each intervention.

Moreover, this new role has strengthened the role of communal organizations to cut the umbilical cord of dependency from the authorities (Escobar, 2006)¹⁷ and to transform the clientelistic relationship between community and local government. In this process the idea is to produce a change of mentality: no more the authorities will be more than the community, now each of them will be considered equal partners of the same system. This is a qualitative transformation that needs to be strengthened but that has been started with the new approach in the present projects.

As part of this process the programmes are increasing the consciousness of rights from the members of the community. This involves not only the right to request the improvement of the systems and support of external agencies, but also to increase their willingness to pay as well as to improve the accountability of their organizations. These changes are helping to

¹⁷ Interview to Rafael Escobar, Coordinator of the WATSAN Projects from Cajamarca Region - ITDG

break the paternalistic behaviour within the projects and to improve the accountability and communication between the community and the JASS.

Regarding this issue, the JASS has an important role encouraging the participation of the community in the communal works and collecting the tariff for the A&O&M of the WATSAN systems. The members of the community appreciate very much the existence of the JASS and have more confidence in them than in an external organization. Therefore, it is important to value this organization as an actor that could help the local government to get closer to the community and obtain better outputs.

In addition, there is a strong willingness from the JASS to improve their relationship with the municipality. They have a good disposition to receive support and any kind of training that could help them to improve their responsibilities within the community.

Finally, an interesting experience that some projects are implementing in the field (PROPILAS and SANBASUR in particular) is the conformation of district water committee associations. Because of the new role of municipalities to register their local JASSs, this registration is helping the municipality to know how many organizations are in the district and to work in the creation of organizations that could represent the JASSs into a district level. These associations are the ones that have the formal representation to participate in the District Participatory Budget and the District Development Plan. However, the conformation of these associations is still very little in comparison with the number of JASSs created in the last decades.

Despite the strengths achieved by the projects and programmes in the last times, there are deep constraints that need to be faced by the communities and programmes.

4.2.2. Weaknesses of the Water Committees

The challenges that need to be faced by the JASS are presented in eight main points:

First, in several interviews the directors and coordinators of the programmes have expressed difficulties to struggle with the instability of the JASS. There is a high level of rotation from the JASS's members due to migration for temporal works, in particular men, who abandon their families leaving their wife and children alone in the community. Because of this reason, the JASS lose capacities and knowledge transferred in the workshops and support assistance, which impact directly in the efficiency and continuity of the system's operation.

This problem is increased with the weak participation of the women in the JASS's structure. In spite of several attempts to boost the participation of women, this has produced little effects. Until now, women have a secondary role in the rural communities.

Second, other difficulty expressed by the interviewers is the election of the JASS's members. This election is every two years and has the limitation that the community does not include for the election any technical criterion related to specific skills and experience required for the tasks. The community determines who will be the member of the JASS through a general acclamation. Therefore, frequently the members elected are the ones that have a strong leadership in the community but this criterion does not necessarily match with the skills and abilities required for the administration and general management of the system.

Third, the JASS presents a lack of skills on administrative, accounting and managerial issues. As part of their responsibilities, the JASS frequently needs to contract external workers to repair the WATSAN systems. This mean that the JASS has to issue bills for the workers in order to regulate the jobs, which requires the payment of taxes and the provision of information to the Tax institution about the movement of their account every month. For these issues, the JASS needs to receive special training and support that normally is limited. In addition, the management of the JASS does not introduce minimum parameters to evaluate their performance.

Four, other weaknesses experienced by JASS include the bad experiences of past management and conflicts within the community. Some communities had suffered the robbery of communal funds from JASS's members, using it for their personal stake or disappearing with the money. There is little transparency and accountability of the JASS's expenditure. This fact reduces their credibility for the collection of the tariff and the finances' management. Another reason for conflict is when people do not want to participate in the communal works or think that they are the owners of the water's source and do not want its construction. These conflicts have been identified since the beginning of the interventions and sometimes are the main reason why projects fail.

Five, there is little consciousness of the economic value of water. The main conflicts in the community are related to the payment of the tariff. The household quota does not work at all. Frequently, the households are afraid of the word "tariff" because there is a strong idea that the water should be free. In the Peruvian legislation, it has been specified that the household's contribution is voluntary. Therefore, if at any point the family has any other priority or difficulty: a birthday of family members, a bad season in the harvest or an illness of

some relative, they will stop paying the fee. So, it is due to these circumstances when the problems started to appear because the JASS does not have any mechanism to enforce the payment of the fee and the people know that nothing will happen if they do not pay it; therefore, there is a low social responsibility for the fee payment.

Six, all these difficulties affect strongly the A&O&M of the system. The JASS does not have enough resources to contract qualify personnel, to buy the equipment and materials needed for daily operation, as well as to expand the coverage of the system.

Seven, in spite of the conformation of JASSs in almost all the communities, each of them are not motivated to participate in district spaces such as the District Development Plan or the Participatory Budgeting because they are only “representative” of their communities not of the whole district. In this respect, the programmes have done very little effort to boost the creation and to strengthen water committee associations in Peru. They have been focusing more on the communal level or on their links with the municipality mainly. Therefore, the voice of the JASS’s members is not present in the district spaces.

Eight, some actors think that JASS is not operative with their actual features. As Villafuerte (2006)¹⁸ pointed out “the JASS are castle in the air; too many efforts have been allocated in this level when the reality tells us that this model is not working in the long term”. In addition, Escobar (2006)¹⁹ said: “...the water system is from all the community when it is working well, however, when it is working badly it is of nobody”. This happens mainly because the JASS are stronger and works well when a national programme or an NGO is working in the locality. However, when these institutions leave the area, the communal organizations start getting weakened and the systems start to collapse.

This problem manifests the way in which some institutions work in the locality, contributing to the dependency of the community rather than their autonomy, and investing little money on the long-term support to the communal organizations.

To sum up, Box 5 presents the strengths and weaknesses of the community management’s role:

¹⁸ Interview to Tania Villafuerte, Vice-Manager of Social Development Unit of the Regional Government of Cusco.

¹⁹ Interview to Rafael Escobar, Regional Coordinator of Cajamarca from ITDG.

Box 5: Strengths and Weaknesses of the Community Management in RWSS

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> ☑ Transfer of responsibilities to the community linked with their long tradition to organize themselves for communal works. ☑ New role of communal organizations helps to cut the dependency from the authority: changes paternalistic relationship among them. ☑ Increment the consciousness of rights and duties from community's members. ☑ Increment of accountability and communication within the community. ☑ High valuation of the existence of the JASS from the community members. More confidence to them than outsiders. ☑ Strong willingness of the JASS to receive support from the municipality. ☑ Conformation of district water committee associations: improve representation of JASS in district spaces. 	<ul style="list-style-type: none"> ☒ Instability of JASS's members due to migration or temporary works: high level of rotation produces the lost of the learning process. ☒ Weak participation of the women ☒ Not inclusion of any technical criterion for the election of JASS's members. ☒ Lack of skills on administrative, accounting and managerial issues. ☒ Little transparency and accountability of the JASS's expenditure: create distrust and conflicts. ☒ Little consciousness of the economic value of the water: low economic contributions from the households. ☒ Little resources of the JASS to contract qualify personnel, buy equipment, and materials needed for their daily operation. ☒ Low participation of the JASS in participatory spaces: not representation at the district level. ☒ High dependency to external agencies undermines their sustainability.

Therefore, it is important to know which are the strengths and weaknesses of the rural local government related to the provision of WATSAN systems and its links with the water committees.

4.3. Role of Local Government in RWSS

As an organization that is located in the intermediate level, the local government needs to work as a bridge between the national institutions and the community. The General Law of Sanitation gives them important responsibilities for the provision and support of the systems. However, the law and the formal transfer of responsibilities do not always correspond to what is actually happening in the field. Therefore, throughout the interviews, it is possible to identify the main strengths and weaknesses of the local government in RWSS.

4.3.1. Strengths of Local Government's Role

Due to the decentralization process and the transfer of responsibilities to lower levels, the local government is changing its role from a direct provider and operator of WATSAN system

to one that gives support and technical assistance to the system. Therefore, this is an important opportunity for the local government to strengthen its internal structure, the human resources and its links with the community. Nowadays, with this process, the municipalities have the rights to require the transfer of more resources and the capacity building for their personnel.

As part of the decentralization process, the inclusion of the demand-responsive approach is a coherent way to strengthen local institutions. The new projects and programmes placed in Peru are requiring that the municipality co-finances the WATSAN infrastructure in around 20% of the total budget²⁰. This element wants to increment the ownership and responsibility of the municipalities towards the systems. As part of this new approach, the projects are encouraging the creation of a special unit for WATSAN services, which will be able to guarantee a better supervision of the systems²¹.

The modification of the law that includes the registration of the JASS as part of the municipalities' role is also an important tool for raising their awareness on the number of water committees that are operating in their districts. With this information it will be possible to build an accurate plan for the support and technical advice to the JASS depending on their particular characteristics and needs.

Finally, the good disposition of the JASS to receive support from the municipalities and to ask them advice in some cases has matched with a good disposition of the local government to be closer and help them with their requirements.

4.3.2. Weaknesses of Local Government's Role

There are several limitations related to the role of the municipalities in RWSS which affect directly on the relationship with the communities and in particular with the water committees.

First, there is a low demand from the municipality to invest in WATSAN systems. The local authorities frequently prefer cement projects; they like to "inaugurate" infrastructure projects and feel the direct recognition of the people. Therefore, the mayors do not consider

²⁰ This model contrast with the past where the projects financed 100% of the systems and the institutions in charge of the infrastructure gave the final system to the community without any participation of the municipality. This generated conflicts between the community and the municipality, reducing the commitment of the latter to support it in the long term.

²¹ Before the demand-responsive approach the support to water systems was part of the unit of "Basic Service" that could include areas such as rural roads, electricity and school's infrastructure.

WATSAN as a priority: "...the final product is under the earth, it is not visible!" said Meza (2006)²²; and as Alegría (2006)²³ notices: "Every one love infrastructure projects"²⁴. Therefore, there is a strong bias on visible infrastructure projects. This fact matches with the expectation of the people who also feel attracted to this kind of initiative. Likewise, the low investment of the local government is related to the traditional pattern in which the central government is the one in charge of the investment of WATSAN systems. Therefore, the expertise required in this kind of tasks is located mainly in the national level rather than in the regions. Thus, the municipalities are not used to invest in WATSAN systems, also because these types of projects require large amounts of money that normally the local governments are unable to obtain. This is the reason why the municipalities are waiting for the central government to address this issue rather than looking at different sources of investment by themselves.

Second, another main constraint is their human resources. Normally the local government does not have a WATSAN Unit within the municipality's structure. This could be explained by the fact that they have very scarce resources that prevents them from contracting additional personnel, but also because the mayors do not see a real need to create them. Hence, the municipalities normally do not have a technical team in charge of monitoring and supporting WATSAN systems and if it exists, it is usually only one person, with low salary and overburdened, so that in reality the visits to each community take place only once a year. In addition, the limitations of the local teams stem from their professional focus on technical issues rather than hygiene promotion or strengthening water committee's organizations: there is a misbalance between the proportion of money and personnel designated to the infrastructure projects with the resources and personnel assigned to the social component. Furthermore, the personnel in municipalities are frequently affected by the political interference and change of government. There is a high instability and rotation of the personnel depending on whom it is in power. Whenever there is a group obtaining some experience and receiving training, it is often changed by another one. In these conditions it is impossible to develop local capacity and to work on a unique vision within the organization.

Third, political interference is other serious problem. The water is highly politicized. There is a clientelistic behaviour around the priorities and localities selected for the projects. The mayors focus on the population that will give them votes. This is why the mayors prefer to make projects in bigger localities rather than in rural areas. Also when the mayors were

²² Interview to Rosa Meza, responsible for the Social Area within "Small Localities" Component in the National Programme for Rural Water and Sanitation (PRONASAR).

²³ Interview to Julio Alegría, Director of the Project of Basic Sanitation for the South Highlands (SANBASUR).

²⁴ Traduced from the Spanish: "Obras son amores"

candidates they had promised to their districts that they would provide with WATSAN systems without any tariff or fee. Then, when they become mayors, they realized that their promises were impossible to accomplish, but they did not want to be considered as liars in front of their people. Therefore, they resisted the idea of incorporating the tariff or including the private sector in the infrastructure's construction or the management of the system. Therefore, they did not improve the system, which affected mainly the poorest population which has not received the service yet. These practices also influence to the JASS because the candidates sometimes try to manipulate them or make promises without having any base in the reality, creating later frustration and conflicts.

Four, another important limitation is the resistance to include the private sector in the roles required by WATSAN system. Some municipalities have not accepted to work in the national programme PRONASAR because of the presence of "private operators" that could "privatize" the system and therefore, increase the tariff²⁵. In other cases, local organizations and NGOs were the ones who brought these fears to the community and built enough distrust to stop any dialogue and impede the implementation of projects. This has become accentuated in the electoral year of 2006²⁶ in Peru. During this time, some candidates or actual mayors attempt to manipulate their districts using arguments such as: "the water should be free", "the water has no cost". Therefore, this attitude delimits the chances of solving the problem of WATSAN because in some cases the private sector could have a complementary role in the infrastructure, operation or management of the system together with the community or other institutions. This attitude translates later in the negative disposition of the community to pay the household contribution or to accept the responsibility of the system.

Five, the municipal finances is also an important reason for the weaknesses of their support. The municipalities have very traditional, bureaucratic and inefficient procedures for the management of the finances. Until now there have been several problems with the money allocated to the improvement of WATSAN system because normally this money is incorporated into the whole accountability of the municipality. The finances are not separated by issues which create huge disorder and delays on the payment of salaries as well as difficulties with accomplishing the investment devoted to the co-finance of the

²⁵ Experience shared by Javier Hernandez, Director of the national programme PRONASAR and now actual director of the National Direction of Rural Sanitation.

²⁶ In April, 2006 were the national elections to elect the president and the parliament and in November, 2006 will be the elections for regional, provincial and local governments.

systems²⁷. In addition, the lack of finances will have direct consequences for the rural localities because the municipality will lack resources to invest in the new equipment, travel expenses and materials for further localities. Moreover, the municipalities do not include in their budgets the supervision and assistance cost. This is a frequent mistake: not only because it is difficult to measure the cost of the support and supervision, but mainly because it is not a priority for the local authorities.

Six, other constraint is that sometimes the municipality considers the JASS only as a “construction committee”. Fuertes (2006)²⁸ highlights that the municipality considers the community as “a cheap labour force that will go to pick up materials” but does not consider them as partners, citizens and those responsible for the A&O&M. This vision contributes to the idea that it is not really important to invest in the capacity development of water committees.

To sum up, Box 6 presents the strengths and weaknesses of the local government in RWSS:

²⁷ For example, when there is a need to use the WATSAN fund for repairing some equipment, frequently the money had been used for other activities that have non relation with WATSAN.

²⁸ Interview to Nestor Fuertes, coordinator of Yachán Project: Strengthening the livelihood living means in Yachán basin (Cajamarca) from ITDG.

Box 6: Strengths and Weaknesses of the Role of Local Government in RWSS

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> ☑ The decentralization process is an important opportunity for strengthening local capacity and incrementing resources. ☑ Co-finance of local government in WATSAN infrastructure increase their ownership and responsibility in the long term. ☑ Creation in some municipalities of special units for WATSAN services. ☑ New role to register JASS in the municipality improve their information system about the number of JASS. ☑ Good disposition of some local governments to be closer and help the JASS with their requirements. 	<ul style="list-style-type: none"> ☒ Low demand from the municipality to invest in WATSAN systems: Bias on infrastructure (“cement”) projects. WATSAN is not a priority and is too expensive for local governments. ☒ Expertise on WATSAN projects is located in central agencies. ☒ Local government does not have a Unit for WATSAN services. Lack of human resources for the supervision of services. ☒ Imbalance between technical personnel and social personnel. ☒ Personnel with low salary and overburdened ☒ Political interference on personnel appointments: high rotation, instability ☒ Clientelistic behaviour: mayors focus on the population that gives votes. Rural areas are not a priority. ☒ Manipulation of the tariff setting. Arguments related to “free water”. Accentuated in electoral years. ☒ Bureaucratic and inefficient procedures in their finances: there is not a separate finance account for each programme. ☒ The municipalities do not include in their budgets supervision cost. ☒ Sometimes the municipality considers the JASS as a “construction committee” only.

4.4. Analyzing the Role of Local Government in Supporting Community Management in RWSS

The water committees have an important role in the efficiency and sustainability of the WATSAN systems. The efficiency in the management will depend on the recovery costs coming from the contribution of the household tariff, as well as the support of intermediate agencies that could support and give assistance in the long term. In this respect, the local government plays an essential role in the sustainability of the WATSAN systems.

Nevertheless, the reality of RWSS systems is that the JASS are normally isolated within their communities. The municipalities -due to the difficulties described above- are very distant from the communities and the JASS. The relationship between them is scarce and only when a system is getting really bad or when a strong conflict in having place, the municipality try to intervene in some way.

This little support of the local government is explained through several reasons. The local government does not realize the importance of the JASS for the sustainability of the system. They focus their efforts and budget in the infrastructure stage, but once this stage is finished, they have a magic belief that the system will operate alone. The local government knows that the community is responsible for the A&O&M; therefore, they think that their own role has finished and that the system should work well enough. The local government considers the water committees as a cheap labour force not as an essential actor for the sustainability of the system. The changing of conception will help to improve the coordination and support between them.

The fact that the municipalities do not prioritize the WATSAN systems matches with little pressure or weak organization of the community to push the local government to invest in the improvement of the WATSAN systems. Both of them do not have a real idea of its importance in their life. In this sense, there are few efforts made in the hygiene promotion and little changes implemented on the behaviour and practices. The families are not incorporating healthy behaviour and sometimes are misusing water without any consciousness.

Moreover, the low demand of WATSAN programmes, the political interference in local decisions and the lack of finances from the municipalities are an expression of a short development vision and their isolation from other actors. The local government works for the accomplishment of specific targets without having an integral vision that could guide their actions and results in the long term.

In this respect, there are few opportunities where the actors are sitting together to discuss priorities and to boost the scope of each intervention. The case of the Regional Committee for Basic Sanitation (CORSAB) in Cusco and the Regional Technical Committee of Water and Sanitation in Cajamarca are important experiences to highlight. Moreover, the JASS's associations are other kinds of organization that helps to coordinate and discuss the WATSAN needs. This kind of experience needs to be strengthened and followed.

Perhaps one of the main obstacles for the local government supporting the community management is financing the recurrent costs. Until now there have been very few examples of direct user fees covering all operation and assistance costs, and it would appear that this option is not a viable one in the medium term future. Therefore, the support of the local government needs to consider this reality, not only to look after ways for reducing the no

payment of fees within the community, but also to look after different alternatives for financing support costs among local, regional, national, or international actors. A degree of cost sharing among all actors would appear to be the preferable solution in the near and medium term. However, the capacity of local government to obtain additional resources and to involve other actors is very low. Until now local governments are dependent on the scarce resources transferred from the national government and in some cases the mining cannon.

However, the lack of financing could also be an expression of lack of capacity. Sometimes it is easier to beg money to the central government than to think of new alternatives for financing. In addition, the little investment on WATSAN systems is not only because it is more expensive, it could be because it is easier to build a square or a sport field that does not need so many expertise. So, it is not only a problem of visibility but a problem of capacity and how confident the local government could feel to incorporate complex projects as WATSAN systems within their priorities.

The ownership of the system is an important element that interferes in the type of support that the local government provides to the community. It is important to define by law, to who the water systems belong. The present experiences are giving the systems sometimes to the community, others to the local government and in other cases to both of them. The legislation does not specify this issue. There are weaknesses and strengths on both alternatives. If the system belongs to the community it may be that the community could say: "this system belongs to the community, so it is mine... so if I damage or if I don't pay the fee is only my problem, it does care to others"²⁹. In addition, the municipality could feel that if the system does not belongs to the local government they do not have any responsibility to repair or support the community in case of a disaster or of big damage. By contrast, other actors thinks that because is the community the one who A&O&M the system, the assets should be from the community. This discussion is still having place in the region and will require the evaluation of different experiences in order to have a better idea of the impacts of each position.

In this sense, there are interventions implementing different models of management throughout the country however, any of these models are part of a national strategy that could assess their impacts, give them legitimacy and collaborate for their improvement.

²⁹ Experience shared by Nestor Fuertes from ITDG.

Furthermore, both actors: the water committees and the local government suffer from the instability of their structures. In spite of the projects' intervention, the political context, the poverty of the households, and the resistance to changes are always influencing the little results obtained. This is the reason why the interventions are permanently starting from zero. The learning process in both institutions is impossible to maintain without reforms that could guarantee the continuity of the experiences and the people taking part of the processes.

In this respect, there is a weak institutionalization of procedures, structures and regulation in the local government. Due to the fact that rural municipalities do not have institutions that frame, assess and regulate their actions, each municipality does what they want or what they are able to accomplish. There are lots of good intentions but very little results in relation with their role in WATSAN systems.

Thus, in order to understand these weaknesses it is important to assess the role of central government and national institutions in RWSS. In spite of the decentralization process, there are areas of the national government that resist transferring responsibilities, resources and power to the lower levels. They feel that local government are their rivals due to the fact that the main programmes that could produce votes -such as schools' infrastructure, WATSAN, rural roads, social programmes- are being transferred to local governments. Moreover, the national government does not have a structure that could guide the actions to the RWSS. There is a lack of a National Rural Policy that could provide a framework for the design and implementation of projects. Also, there is a weak structure in the new National Direction of Rural Sanitation, with an unclear vision of who should be the one who will be responsible to regulate rural areas. The MINSA, SUNASS, Ombudsman recognize their weaknesses to provide support and regulate rural areas. Therefore, this fragility in the national level affects directly to the role that local government could accomplish within the localities. Thus, an integral overview of the support to the JASS needs to consider the challenges faced in the three levels of management: national, intermediate and communal levels.

4.5. Conclusion

There is a big gap between the law and the reality. In spite of the advances in the legislation and the sector reform, the weaknesses of these institutions are huge for the accomplishment of their roles and the efficiency of the systems.

The local government needs to interiorize its new role: supervising, regulating, looking for new sources of investment, monitoring the tasks of private sector, promoting the changes of behaviour and practices, strengthening the organizations of the community, and encouraging the transparency and accountability of the finances.

The solution to these challenges needs to be built through participatory process in which all actors could be able not only to participate in the process but also to commit their efforts and resources for the improvement of the systems.

Clearly, this will not happen by default; central government needs to instigate the changes, as well as the local government and communal organizations need to accomplish specific roles within the process. Therefore, some conclusions and general recommendations will be proposed in Chapter Five.

CHAPTER FIVE:

CONCLUSION AND RECOMMENDATIONS

The sustainability of WATSAN systems is a real challenge in rural localities of Peru. In this process the links between communal organizations and local governments is essential. However, throughout the analysis of the literature review and the interviews, this study conclude that the role of local government in supporting the community management in Peru is very little and in almost all the cases inexistent. This situation is explained through the structural weaknesses in the institutional support mechanism due to several reasons: weak decentralization reform; confused legislation; lack of coordination and a institutional structure for the support and assistance; imposed models without considering the opinion and culture of the people; lack of capacity development and resources in local governments; no priority towards WATSAN support in local government budget; weak water committees and users that are not able to push for reforms; and a instable political context that always is sabotaging any progress obtained.

In spite of these difficulties, the persons interviewed recognized the central role that should be played the local government for an efficient, sustainable and equitable service. This responsibility will be possible through important reforms that need to be attended at all levels of management: national government, regional and local government, and communal organizations.

Thus, these reforms need to be consolidated in an integral approach where the WATSAN component could be a feature of the different sectors: health, education, energy and mining, economy, production, agriculture and housing and construction. As Oblitas (2006)³⁰ declares: "It is important to look not only the tree, but also the whole forest". Therefore, a cross-cutting approach is needed to establish a real Integrated Water Resource Management. This will help to define and coordinate policies, roles and responsibilities among different actors.

Throughout WATSAN programmes one of the main constraints that need to be neutralized is the political interference and instability of the sector. All the interventions need to consider this dynamism at the moment of planning and implementing the programmes. However, the only way to stop with this constraint is through the institutionalization of structures, roles and

³⁰ Interview to Lidia Oblitas, Executive Secretary from the Global Water Partnership-Peru (Foro Peruano para el Agua).

procedures that could respond in a flexible and integral way to the different realities of the country.

At the national level it is urgent to strengthen the role of the National Direction of Rural Sanitation (DNSR) as the executive institution who should guide through national policies and legislation the priorities and approaches of the sector. Its recent creation requires a transfer of resources and personnel³¹ that could make possible the accomplishment of its tasks. This institution will need to coordinate among different sectors, programmes and agencies for the harmonization of approaches, strategies and national targets. A closer coordination will be required with Health Ministry, for the real regulation of the quality of the water; with Education Ministry, for the inclusion of hygiene education in the curriculum of schools; and with the 25 Regional Directions of Housing, Construction and Sanitation, for the design and monitoring of regional targets.

The DNSR should boost the creation of a Rural Development Plan where WATSAN could be one of the key features. Another challenge includes looking for new sources of investment to cover the finances gap that exist in the country in order to achieve with the MDGs³². It is also important to design a National Development Plan for Water and Sanitation Services that could help to stop with the strong tradition of focusing the investment mainly on urban areas. With the presence of the DNSR, it should be easier to reorient the investment towards rural areas.

In addition, it is essential the creation of a National Plan for Capacity Development. This initiative should strengthen the skills and capabilities of the 25 regional directions of MVCS, regional and local governments, private sector and NGOs, as well as water committees and communal authorities. This strategy should be part of the decentralization process that includes the transfer of responsibilities and resources to lower levels. In addition, this capacity development needs to be linked with a deep reform of the civil servants career (at the national and intermediate levels) that could encourage the sector learning through an enabling learning environment. Likewise, this initiative should be based on the existing training and advice organizations such as universities, NGOs, and training centres.

³¹ Actually, the only person assigned to that direction is the national director. With the presence of one person, the creation of this direction is only a good intention but not a real reform.

³² The investment required for the accomplishment of the MDGs in Peru is around 4,472 millions dollars until 2015. However, the national budget has considered for water and sanitation investment the amount of 1,257.50 millions dollars. Therefore, there is a gap of 3,214.50 millions dollars that need to be covered urgently.

Moreover, there are very interesting experiences in RWSS that need to be assessed in order to have a better idea of their real impacts. These assessments will allow the local government to have a “management menu” and a “technology menu” that could be included in national strategies and replicated depending on the particular features of the locality. These assessments need to include the cost of A&O&M in the long-term that normally is forgotten in the analysis. In addition, each model needs to include proposals to work with the intercultural and gender components. These “menus” will stop the temptation to implement “packaging models” throughout the communities that could forget the huge differences within the regions and rural areas. However, the legislation also has to be flexible to include the new models implemented in the country. Without this formal legitimation, the stability of the models could be in risk.

Hence, it is essential the dissemination of experiences. As Gely (2006)³³ said: “RWSS sector is not a looser sector, we need to communicate this fact in a strong and open voice”. Therefore, it is important to change its image through the sharing and dissemination of good practices. In this respect, the creation of the Sectorial Information System of WATSAN (SIAS) is an urgent task. This initiative should gather the information and statistics required for the design and decision-making of the whole sector and in particular for the support of the localities. However, this system needs to be accessible and adapted for the use of the common villager and local authorities. The communities need actualized information for their daily operation in order to understand and build concrete proposals into different levels. This will contribute to the transparency and accountability of the sector and will encourage the participation and empowerment of all the actors.

At the regional government level, the decentralization process has transferred to them responsibilities on designing and planning regional policies. In this sense, it is essential to strengthen the participatory spaces and the elaboration of Regional Development Plans for WATSAN. Moreover, in order to guarantee the sustainability of the local government support, the regional government could be the level where the capacity development plan may be implemented. Therefore, the regional government can be responsible for strengthening the skills of the personnel and the institutional structures. In addition, there is a vacuum related to who will regulate the RWSS systems. Maybe this responsibility should be transferred to the regional or provincial levels due to the fact that they are closer to their realities. This will imply an important transfer of resources and skills.

³³ Interview to Johan Gely, Sectorial Advisor of the Switzerland Agency for Development and Cooperation (AGUASAN-CONSUDE).

At the local government level, it is important to strengthen its structure and technical skills. These initiatives should be part of a national policy that could generate consistency and sustainability for the learning process. This include the formalization of a special Unit for Water and Sanitation with at least two professionals (with technical and social expertise) and with the minimum equipment and resources for their tasks³⁴. This unit will need a permanent support and training that should include hygiene promotion, legal and organisational skills, and participatory and conflict resolution techniques. Without capable and committed municipal personnel, the support and advice to water committees will have no impact on the ground. However, the whole municipality should express a positive attitude towards WATSAN programmes and the JASS. This will help to increment the co-finance and the different sources of investment for WATSAN purposes. In addition, the local government should establish an effective monitoring system that could be used as a tool for the assessment of targets, feedback of the process, and for the decision-making towards future investment.

Moreover, the local government can be the better space for the coordination and sharing of experiences and ideas among local actors. The participatory spaces need to be strengthening in order to include the demands of the different communal organizations including water committees. One of the main tools that could help for this purpose is the elaboration of the Local Development Plan for Water and Sanitation. This tool could be useful to assess the real situation of WATSAN systems in the districts, and to determine which are the priorities and actions that should be taken. For example, one vacuum of the present programmes is the implementation of WATSAN systems in localities smaller than 200 inhabitants. Due to the difficulties of these villages³⁵, the national programmes do not face their problematic. Therefore, it is important to design temporary mechanism and strategies to cover their needs while they could receive in the future the provision of WATSAN systems through other projects.

Furthermore, the training and capacity development within the municipalities should stop the paternalistic practices. The water committees and the villagers need to be considered effective partners of the WATSAN systems. It is important to break with the vision that the communities are incapable to manage and decide by themselves. They should be treated as citizens and partners not only as “beneficiaries”. Their poverty condition should not be a justification to forget their rights and responsibilities within their communities. Therefore, the

³⁴ Such us motorbike, computer, topographic equipment, travel expenses among others.

³⁵ These villages present very low density, therefore, normally are too far from the district capital and therefore it is too costly the implementation of the WATSAN system.

technicians and authorities need to stop with the links of dependency that frequently have been established with the communities. The fact that the communities could be considered as equal and responsible for their own development will strengthen their self-esteem and confidence and therefore, will contribute for their final empowerment.

At the communal level, it is essential to work in the willingness to pay of the households. The tariff rate in Peru is too low to cover the A&O&M of WATSAN systems. Until now there is no differentiation between the “capacity to pay” and the “willingness to pay”. Sometimes the problem is not related with the capacity to pay but it is of willingness. Probably, the families could invest in other things but for WATSAN systems they want to pay a little amount. Thus, the families do not recognize the relationship between the improvement of WATSAN systems and their payments. This link needs to be highlighted strongly.

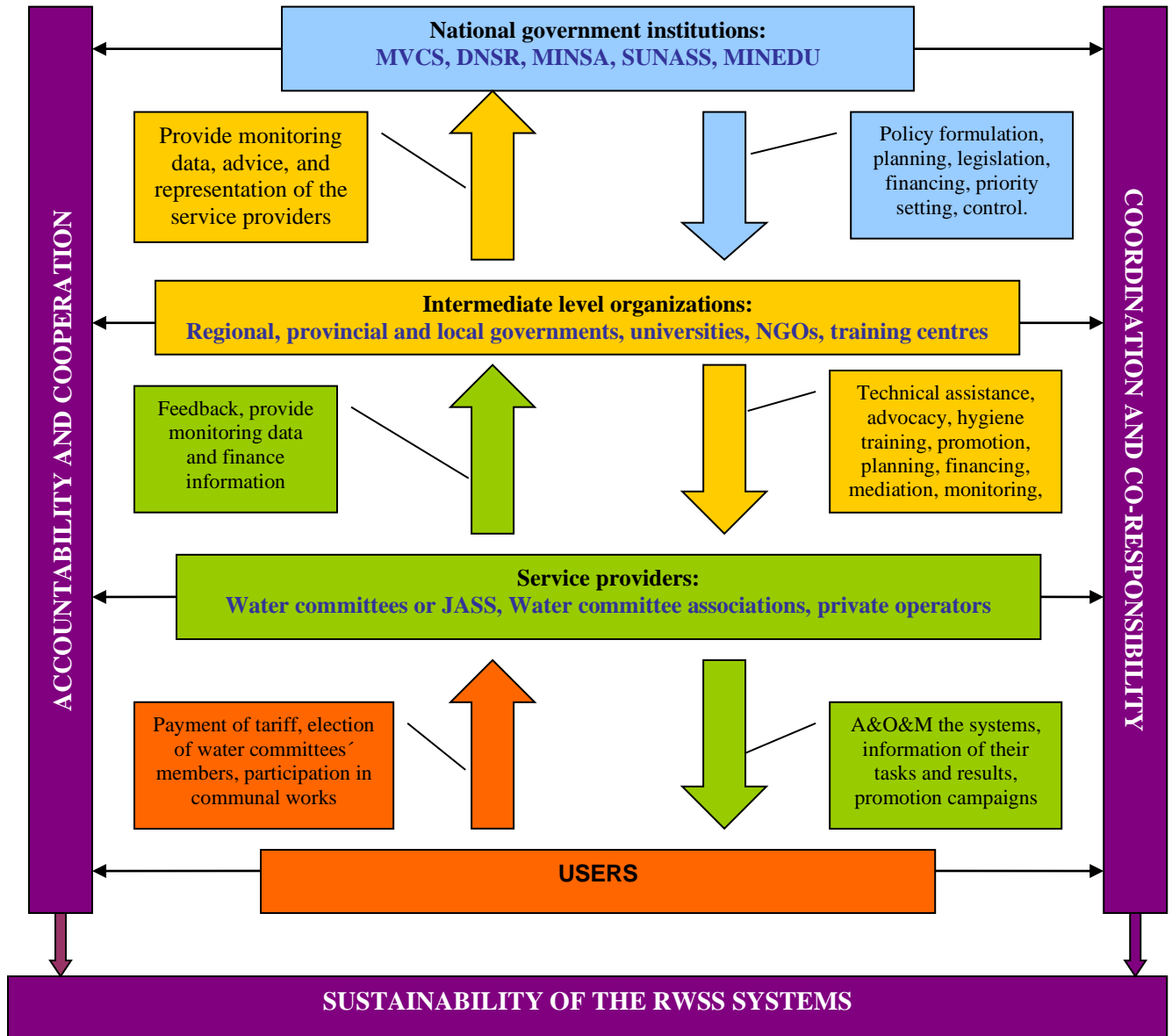
This low willingness to pay may be also related with the little recognition of the importance of WATSAN services in the improvement of their life. Frequently, the community will prioritize a channel of irrigation instead of a water system for consumption. The community denies to incorporate new models and to produce changes in their own practices. Thus, working in WATSAN programmes will imply to work in the modification of behaviour and beliefs. The people say: “If my family always has lived drinking water from the river, why now we have to change?” The community does not like changes; therefore, it is so important to work in the promotion of hygiene education within schools and communal spaces. However, this discussion first needs to be worked within the local government and water committees in order to have allies in this important task.

In addition, it is important to encourage the participation of women in all the project cycle, the participatory spaces, and the A&O&M of WATSAN systems. Their presence could improve the effectiveness of the water project design, boost the organization of water committees, and strengthen the transformation of practices and behaviour within the households. Therefore, the programmes and technicians need to promote their confidence and participation as a key element for the sustainability of the interventions.

Likewise, the creation of water committees associations at the district, provinces and regional level is an important task that needs to be promoted in the middle and long term. These organizations could be an important actor for the representation of the JASS, the support of water committees and as a mechanism to pressure and coordinate with authorities.

Thus, an overall view of the actors and roles within RWSS is summarized in Figure N°2:

Figure N°2: Actors and Roles for the sustainability of the RWSS systems



Adapted from: Shordt, K, Wijk, C and Brikké, F (2004).

To sum up, a sustainable development takes longer than the political process. The big challenge in RWSS is to institutionalize the advances achieved in order to guarantee that the juncture could not modify the progress gained over time. Only strengthening the institutions will be possible to guarantee sustainable services and real improvement of the quality of life of the families. However, every model needs to be adapted permanently to the new requirements of the times. Perhaps, the community management model and the role of local governments should be rethinking in order to face their present challenges. What it is

important to remember always is that at the central of any approach should be the human being and his human development.

In this sense, it would be important that further researches could analyze alternatives models of management in rural areas or to compare different experiences where the private sector could play an important role in the A&O&M of RWSS. In addition, this study focuses directly on the localities that have a community management approach. Thus, it will be important to analyze what happens to those localities that do not have any communal organization for these tasks, which is the role of local government and community in these cases. Therefore, this dissertation is only a small contribution into a complex and problematic area.

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APPENDIX N°1

Political Map of Peru



APPENDIX N°2

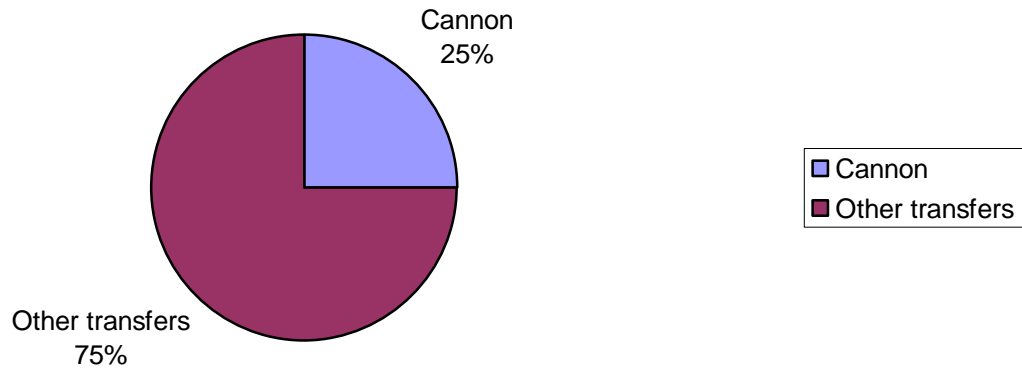
Peru: Investment in Water and Sanitation in Rural Areas 1990 – 1998 (Million of dollars)

	1992	1993	1994	1995	1996	1997	1998	1990-98
Rural Area	14.9	39.4	32.3	39.8	62.9	88.4	58.3	336.2
FONCODES	12.7	29.9	22.3	24.7	45.8	70.4	40.0	245.9
Other governmental agencies	1.5	7.5	8.1	12.7	14.3	15.0	15.0	76.9
NGOs	0.8	1.9	2.0	2.5	2.8	3.0	3.3	16.3

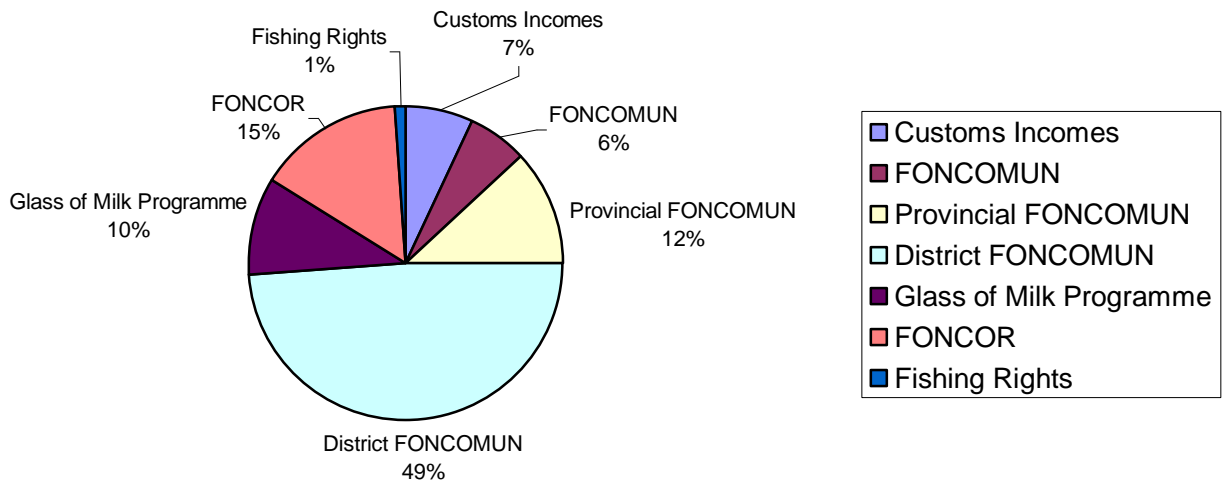
Source: Bodero (2003).

APPENDIX N°3

Total Transfers in Peru, 2004



Other Transfers 2004



Source: Boza (2006).

APPENDIX N°4

Transferences from the Mining Cannon to Regional Governments (Period 2002 – 2006)

	2002	2003	2004	2005	PIA 2006	Total 2002 - 2006
Amazonas	327	127,666	91,709	1,653	1,990	223,344
Áncash	3,600,517	11,019,206	12,606,321	10,118,055	11,914,955	49,259,055
Apurímac	0	46,683	273,670	1,013,259	1,442,742	2,776,355
Arequipa	2,987,871	4,943,956	4,820,834	11,302,176	15,232,020	39,286,857
Ayacucho	4,530	3,237	121,856	328,023	418,756	876,403
Cajamarca	3,599,391	13,272,073	36,404,572	57,170,216	62,788,602	173,234,853
Cusco	0	0	0	3,717,221	5,814,795	9,532,015
Huancavelica	27,697	37,211	288,329	830,496	1,100,931	2,284,665
Huánuco	4	7	0	4	7	22
Ica	458,647	1,028,388	982,645	1,651,010	2,240,120	6,360,811
Junín	266,071	542,844	742,263	1,373,341	1,745,655	4,670,174
La Libertad	670,005	1,972,123	3,299,997	3,622,116	3,474,840	13,039,081
Lima (2)	502,283	1,107,537	1,622,701	3,279,696	4,496,619	11,008,837
Madre de Dios	0	0	4,687	11,146	13,368	29,201
Moquegua	2,105,252	5,254,025	6,810,127	29,736,640	43,357,002	87,263,046
Pasco	89,473	482,354	1,230,014	4,158,923	6,096,480	12,057,243
Piura	14	130	278	2,973	4,854	8,248
Puno	4,141,130	14,265,169	13,120,443	19,010,519	26,351,910	76,889,172
San Martín	15,213	28,319	37,038	76,168	100,494	257,233
Tacna	1,194,324	2,917,527	7,800,371	30,224,088	41,496,368	83,632,678
Total	19,662,748	57,048,455	90,257,856	177,627,722	228,092,509	572,689,291

Source: Boza (2006).

APPENDIX N°5

Details of the Persons Interviewed

Surname	Name	Institution	Responsibility	Telephone	Email	Web side of the institution
1.- Willet	Has	Dutch Service Cooperation for Development (Servicio Holandés de Cooperación al Desarrollo - SNV)	Advisor of Natural Resources Management - Cajamarca	005176 341847	hwillet@snvworld.org	http://www.snv-la.org
2.- Agüero	Roger	Educative Rural Services (Servicios Educativos Rurales - SER)	Coordinator of Water and Sanitation Projects	00511 4727950	aguero@ser.org.pe	http://www.ser.org.pe/
3.- Oblitas	Lidia	Global Water Partnership-Peru (Foro Peruano para el Agua)	Executive Secretary	00511 4480506	lcruiz@terra.com.pe	http://www.portaldelaquapwp.com.pe/
4.- Escobar	Rafael	Intermediate Technology Development Group – ITDG	Cajamarca Regional Coordinator	005176 824024	rescobar@itdg.org.pe	http://www.itdg.org.pe/
5.- Fuertes	Nestor	Intermediate Technology Development Group – ITDG	Coordinator of Yachán Project: Strengthening the livelihood living means in Yachán basin (Cajamarca)	005176 364024	nfuertes@itdg.org.pe	http://www.itdg.org.pe/
6.- Mellado	Rocio	Intermediate Technology Development Group – ITDG		00511 4475127	rmellado@itdg.org.pe	http://www.itdg.org.pe/
7.- Meza	Rosa	National Programme for Rural Water and Sanitation (Programa Nacional de Agua y Saneamiento Rural - PRONASAR)	Responsible for Social Area within "Small Localities" Component	00511 2117930 Ext. 1969	rmeza@vivienda.gob.pe	http://www.vivienda.gob.pe/pronasar/
8.- Hernández	Javier	National Programme for Rural Water and Sanitation (Programa Nacional de Agua y Saneamiento Rural - PRONASAR)	General Coordinator	00511 2117930 Ext. 1963	jhernandez@vivienda.gob.pe	http://www.vivienda.gob.pe/pronasar/
9.- Chang	Alicia	National Programme for Rural Water and Sanitation (Programa Nacional de Agua y Saneamiento Rural - PRONASAR)	Responsible for Institutional Development	00511 2117930 Ext. 1962	achang@vivienda.gob.pe	http://www.vivienda.gob.pe/pronasar/
10.- Avendaño	Gianina	Ombudsman Office - Public Services and Environment Unit	Responsible for Water and Sanitation Public Services	00511 4267800 Ext. 3057	gavendano@defensoria.gob.pe	http://www.ombudsman.gob.pe/

Surname	Name	Institution	Responsibility	Telephone	Email	Web side of the institution
11.- Pardón	Mauricio	Pan American Centre for Sanitary Engineering and Environmental Sciences (Centro Panamericano de Ingeniería Sanitaria y Ciencias del Ambiente - CEPIS-SDE-OPS)	Director	00511 4377081	mpardon@cepis.ops-oms.org	http://www.cepis.ops-oms.org/cepis/e/cepisacerca.html
12.- Soto	Francisco	Pilot Project for the Improvement of the District Management and Sustainability in Water and Sanitation (Proyecto Piloto para Mejorar la Gestión y la Sostenibilidad Distrital en Agua y Saneamiento – PROPILAS)	Project Director	005176 363284	fsoto@care.org.pe	http://www.cosude.org.pe/index.php?navID=22770&langID=3&
13.- Stoll	Carlos	Proagua - GTZ (German Cooperation)	Director	00511 2220990 00511 97503934	cstoll@proagua-gtz.org.pe	http://www.proagua-gtz.org.pe/
14.- Alegría	Julio	Project of Basic Sanitation for the South Highlands (Proyecto de Saneamiento Básico de la Sierra Sur – SANBASUR)	Director	005184 242582 005184 227998	jalegría@sanbasur.org.pe	http://www.sanbasur.org.pe/sanbasur.htm
15.- Villafuerte	Tania	Regional Government of Cusco / Regional Committee for Basic Sanitation (Comité Regional de Saneamiento Básico)	Vice-Manager of Social Development Unit / Technical Secretary	005184 431918	taniavillafuerte@hotmail.com	http://www.regcus.gob.pe/
16.- Johan	Gely	Switzerland Agency for the Development and Cooperation (Agencia Suiza para el Desarrollo y la Cooperación- AGUASAN-CONSUDE)	Sectorial Advisor	00511 4415616	johan.gely@sdc.net	http://www.cosude.org.pe/
17.- Castillo	Oscar	Water and Sanitation Programme - World Bank (Programa de Agua y Saneamiento del Banco Mundial)	Specialist in Communal and Institutional Development	00511 6150685 Ext. 322	ocastillo@worldbank.org	http://www.wsp.org/07_Latin.asp

APPENDIX N°6

Guide of Questions for the Interviews

Introductory Questions

1. How is the situation of Water and Sanitation in rural areas?
2. Which are the main factors that explain this situation?
3. Which are the main constraints of the rural water and sanitation programmes?
4. How you evaluate the sustainability of the RWSS systems? Why?

Main Questions

5. How is your evaluation of the water committees' role?
6. Which should be the conditions for the implementation of the community management in the localities?
7. In the regions that you are working, what kind of support is given to the JASS? Explain. Why?
8. What kind of relationship it is established between the Municipality and JASS?
9. Is there any accountability between JASS with community / JASS with Municipality / Municipality with the community?
10. Which are the expectative of the JASS in relation with the role of the municipality?
11. Which are the expectative of the Municipality in relation with the role of the JASS?
12. Which are the strengths of the community management?
13. Which are the weaknesses of the community management?
14. Which are the strengths of the role of the municipalities?
15. Which are the weaknesses of the role of the municipalities?
16. How is your evaluation about the PRONASAR? The National Direction of Sanitation?
17. Which is the actual role of regional governments?
18. Which is the actual role of SUNASS?
19. Which is the actual role of MINSA?

Final Questions

20. Can you identify good experiences in the community management? Why they were success?
21. Can you identify good experiences in the support of local government to the community management? Why they were success?
22. Do there are participatory spaces for the discussion (or "concertación") with local stakeholders in the district or region related to RWSS? Does it work? How is the participation of the JASS in these spaces? What kind of effects or impacts have achieve these spaces until know?
23. How can we strength the participation of the JASS?
24. How can be strength the role of local government in supporting community management?
25. Which should be the better conditions for the efficiency and sustainability of the systems?

THANKS!!!

October, 2006

Mariella Bazán
mariellabazan@hotmail.com