

Sanitation Institutions Mapping in South Sudan

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Contents

Acronyms	iv
Executive Summary	1
1.0 Introduction.....	2
1.1 Background.....	2
1.2 Mapping of Sanitation Institutions in Juba	2
2.0 Institutional Mapping Methodology	3
2.1 Introduction	3
2.2 Institutional Mapping Methodologies	3
2.2.1 Interviews with Relevant Managers	3
2.2.2 Documentation Review	3
2.2.3 Institutional Mapping Workshop	3
3.0 Institutional and Regulatory Framework for Urban Sanitation	3
3.1 The Water Policy and WASH Strategic Framework	3
3.2 Existing Institutional Arrangements	4
3.2.1 Ministry of Electricity, Dams, Irrigation and Water Resources	5
3.2.1.1 South Sudan Urban Water Corporation.....	5
3.2.2 Ministry of Lands, Housing and Physical Planning	5
3.2.3 Ministry of Health	6
3.2.4 Ministry of Environment	6
3.2.5 Organization of Sanitation at Central Equatoria State Level	6
3.2.5.1 Ministry of Infrastructure and Rural Water	6
3.2.5.2 Ministry of Health, Sanitation, and Environment	6
3.2.6 Organization of Sanitation at Juba County Level.....	7
3.2.7 Organization of Sanitation at Juba City Council Level	7
4.0 Discussion of Main Findings	9
4.1 Conclusions on Institutional and legislative Arrangements	9
4.1.1 Existing Policy Framework	9
4.1.2 Development of Legal Framework	9
4.1.3 Fragmentation of Institutional Roles	9
4.1.4 Institutional Conflict	12
4.1.5 Juba City Council: Mandate but Low Capacity.....	12
4.2 Conclusion	13
4.3. Challenges and Lessons Learned	13
References	14
Appendix A: Sanitation Survey Questionnaires	15

Acronyms

CPA	Comprehensive Peace Agreement
EIA	Environmental Impact Assessment
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (German Society for International Cooperation)
JICA	Japan International Cooperation Agency
MDTF	Multi-Donor Trust Fund
MEDIWR	Ministry of Electricity, Dams, Irrigation, and Water Resources
MLHPP	Ministry of Lands, Housing, and Physical Planning
NGO	Nongovernmental Organization
RSS	Republic of South Sudan
SSUWC	South Sudan Urban Water Corporation
SUWASA	Sustainable Water and Sanitation in Africa Project
UNICEF	United Nations Children's Emergency Fund
USAID	United States Agency for International Development
UWSS	Urban Water Supply and Sanitation
WASH	Water, Sanitation, and Health
YWSC	Yei Water and Sewerage Company

Executive Summary

Following the conclusion of the 2005 Comprehensive Peace Agreement (CPA) interim period and independence for South Sudan in July 2011, the Republic of South Sudan (RSS) continues to face new challenges as it promotes peace, development, and stability. Since the signing of the CPA, the Government of South Sudan has progressed, but it continues to struggle to meet increasing demand for basic services and develop a broad economic base beyond the extractive industries. The United States Agency for International Development (USAID) and other development partners have proactively engaged in helping South Sudan meet the challenges of maintaining stability and supporting development.

By 2009, it was estimated that urban sanitation coverage in South Sudan had increased to approximately 19%. However, urban areas such as Juba continue to rapidly expand, while basic services such as sanitation have not kept up with this rapid growth. Despite the significant challenges around urban sanitation, only limited government or donor investments have been in urban sanitation due to many competing priorities.

Part of the reason for this low investment is that institutional arrangements in the sector remain unclear due to the number of players involved and the concomitant lack of clarity on roles and responsibilities. In an effort to unravel this complexity, the Sustainable Water and Sanitation in Africa (SUWASA) project mapped the key institutions involved with urban sanitation in Juba. This mapping is intended to provide some clarity on who does what as a way of contributing to strengthening activities and attracting investments into the sector.

The mapping has produced hitherto unclear information, including the following key points:

1. **Policy Framework for urban sanitation exists but is yet to be implemented.** The policy framework for management of urban sanitation as an integrated service with piped water supply is in place through the National Water Policy of 2007; the Water, Sanitation, and Hygiene (WASH) Strategic Framework of 2010; and the Proposed Water Bill of 2011. These policies, however, still need to be translated into practical reality.
2. **There are many actors with fragmented roles and responsibilities.** There are at least six government ministries at both national and state level involved in urban sanitation in Juba: Ministry of Electricity, Dams, Irrigation, and Water Resources (MEDIWR); Ministry of Lands, Housing, and Physical Planning (MLHPP); Ministry of Health; Ministry of Environment; and two local government agencies (Juba County and Juba City Council).
3. **Institutional conflict exists between ministries on roles.** There is institutional conflict between MEDIWR and MLHPP created by both the Water Policy and the WASH Strategic Framework with regard to the roles of MEDIWR and MLHPP.
4. **Juba City Council has legal mandate but lacks technical competence.** Under the Local Government Act of 2009, the Water Policy and the WASH Strategic Framework, Juba City Council has the legal mandate over urban sanitation, but currently has insufficient technical capacity to carry out most of the associated tasks. Within the council, there is still need to have clarity on a single point of accountability between the Department of Health and the Department of Environment and Sanitation.
5. **South Sudan Urban Water Corporation (SSUWC) is not involved in urban sanitation.** Even though the SSUWC would form the natural institutional home for urban sanitation and piped sewerage systems, including management of wastewater treatment facilities, the corporation is currently not involved in sanitation activities. Their future role has to be seriously considered.

1.0 Introduction

1.1 Background

Following the conclusion of the 2005 Comprehensive Peace Agreement (CPA) interim period and independence for South Sudan in July 2011, the Republic of South Sudan (RSS) continues to face new challenges as it promotes peace, development, and stability. Since the signing of the CPA, the Government of South Sudan has progressed, but it continues to struggle to meet increasing demand for basic services and to develop a broad economic base beyond the extractive industries. USAID and other development partners have proactively been engaged in helping South Sudan meet the challenges of maintaining stability and supporting development. Urban sanitation constitutes one such challenge. By 2009, it was estimated that urban sanitation coverage in South Sudan had increased to approximately 19% (WSP, 2010). However, urban areas such as Juba continue to expand rapidly, while sanitation services have not kept pace with this rapid growth. Studies undertaken by the Sustainable Water and Sanitation in Africa (SUWASA) project staff on sanitation in Juba city have revealed that the sewerage network is almost nonexistent; and the city has an active private sector-driven exhauster services industry, but only about 40% of households have access to toilets that can be emptied by mechanized tankers.

Not only is access still low, but current institutional arrangements in the sector are also not clear with many players and lack of clarity on roles and responsibilities. In an effort to unravel this complexity, and better understand the institutional arrangement in the urban sanitation subsectors, SUWASA mapped the key government institutions involved with urban sanitation in Juba. The mapping is intended to provide some clarity on who does what as a way of contributing to strengthening activities and attracting investments into the sector.

1.2 Mapping of Sanitation Institutions in Juba

The broad objective of the institutional mapping was to understand which government agencies are doing what, identify areas of conflict and collaboration, and propose areas for improvement. Through a collaborative process involving all relevant government agencies and USAID, SUWASA further refined this objective into actionable research questions:

- What policies and legislation guide the urban sanitation sector in South Sudan?
- Which government agencies have some responsibility for urban sanitation and what do they do?
- What are the areas of interaction/conflict among these agencies?
- What lessons can be drawn from the institutional mapping to enhance activities and attract investment to the sanitation sector?

This report presents the results of the institutional mapping, highlighting relevant policy and legislative provisions, relevant government agencies and their roles and responsibilities, as well as associated gaps. The report ends with key conclusions and implications for future arrangement of the subsector. The study is one of five studies that SUWASA undertook to understand the sanitation situation in Juba fully. The other four studies include:

1. Sanitation mapping and household survey to determine sanitation and hygiene practices,
2. Survey of public toilets,
3. Survey of private exhauster businesses to determine operations and regulatory environment, and
4. Assessment of Roton Wastewater Treatment Lagoon.

The outcomes of this and the four reports above will feed into the Juba City Sanitation Investment Plan currently under preparation.

The rest of the report is organized into three chapters. Chapter 2 presents the methodology used for the institutional mapping, Chapter 3 presents the findings of the mapping while Chapter 4 draws some conclusions, discusses the implications of the findings for future organization of the subsector, and presents the lessons learned.

2.0 Institutional Mapping Methodology

2.1 Introduction

Rapid mapping of institutions was undertaken through a series of activities between November 2013 and August 2014.

2.2 Institutional Mapping Methodologies

2.2.1 Interviews with Relevant Managers

Interviews were conducted with key officers in the Ministry of Electricity, Dams, Irrigation, and Water Resources (MEDIWR); Ministry of Lands, Housing, and Physical Planning (MLHPP); Ministry of Health, Sanitation, and Environment at the Central Equatoria State level; Juba County; and Juba City Council. Other discussions were held with donors and nongovernmental organizations (NGOs) including the Japanese International Cooperation Agency (JICA), World Bank, USAID, German Society for International Cooperation (GIZ), and United Nations International Child's Emergency Fund (UNICEF).

2.2.2 Documentation Review

SUWASA collected documentation from MEDIWR, MLHPP, and the Juba City Council. Documents reviewed included the National Water Policy; Water, Sanitation, and Hygiene (WASH) Strategic Framework; Local Government Act; and the Draft Water Bill. Relevant project documents were also reviewed.

2.2.3 Institutional Mapping Workshop

A workshop to map out the institutions and get more clarity on who is doing what, was held in Juba on July 22-23, 2014. The workshop was attended by staff from key line ministries at both national and state levels including MEDIWR, MLHPP, Ministry of Health, Ministry of Environment, Ministry of Finance, the Local Government Board, Juba City Council, Juba County; representatives of state and local government from Maridi; development partners including USAID, UNICEF, GIZ; and NGOs including Population Services International (PSI) and OXFAM. The workshop defined the mandates, roles, and responsibilities of the relevant government agencies, their strengths and weaknesses, key laws and policies, as well as linkages and areas of conflict between and among these institutions. The workshop was instrumental in clarifying roles and responsibilities and teasing out the details of how the different agencies interact with one another.

3.0 Institutional and Regulatory Framework for Urban Sanitation

3.1 The Water Policy and WASH Strategic Framework

Urban sanitation in South Sudan is currently guided by two primary government policy papers: the Water Policy of 2007, and the WASH Strategic Framework of 2011. The policy is guided by a number of principles, of which the key tenets include an integrated approach in the planning and

development of piped water supply and waste disposal infrastructure; separation of regulatory from service delivery functions; and decentralization of regulation, delivery, and management of Urban Water Supply and Sanitation (UWSS) at the lowest appropriate level in accordance with the principle of subsidiarity.

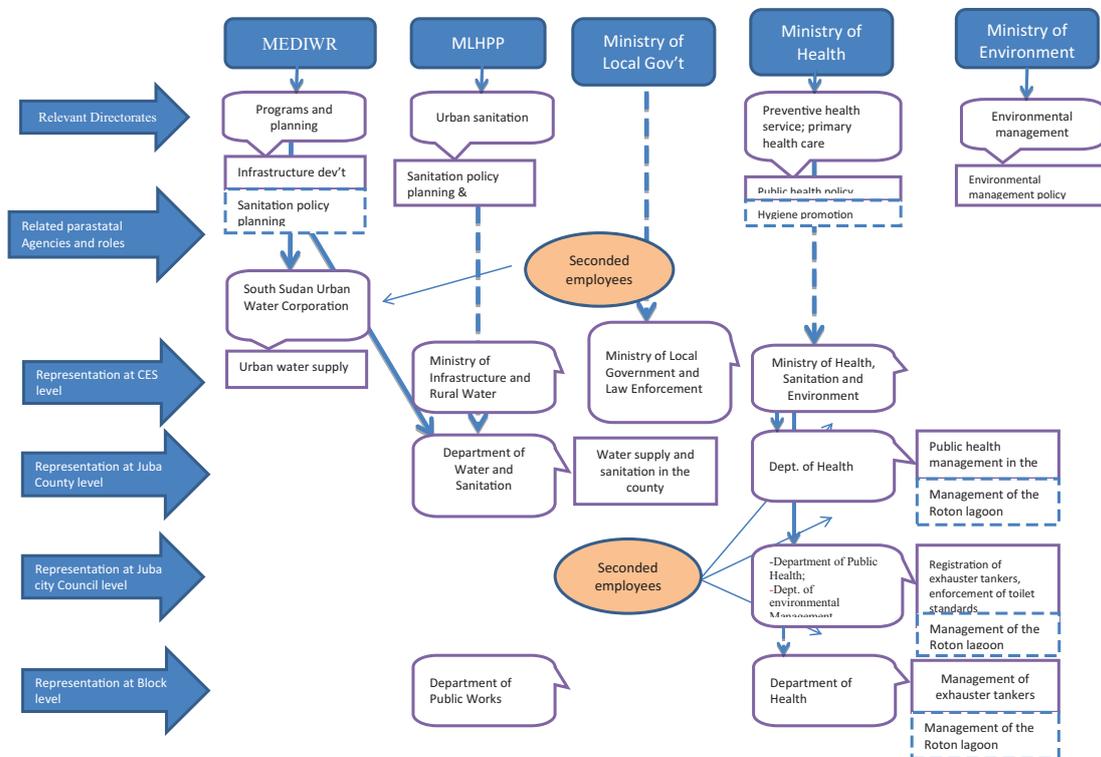
The WASH Strategic Framework, on the other hand, is intended to operationalize the Water Policy of 2007 and ensure its implementation through effective and technically sound strategic approaches, improved capacity, and involvement of all stakeholders. The framework elaborates the UWSS function as one responsibility under the overall direction of MEDIWR. The framework further proposes that the SSUWC should have the mandate to manage urban sanitation (including sewerage systems). In the framework, the role of MLHPP is restricted to participation on a proposed water council and other advisory bodies.

In addition, the framework calls for creation of an independent institutional mechanism for sanitation to be monitored and coordinated between rural and urban centers involving representatives from MEDIWR, SSUWC, MLHPP, and local government actors. The framework also calls for promotion of private sector participation, including regulating sludge management and exploring market-based and fiscal modalities for incentivizing private actors.

The Draft Water Bill of 2013 is intended to provide a legal basis for the policies contained in the National Water Policy and the WASH Strategic Framework.

3.2 Existing Institutional Arrangements

Currently four ministries at the national level, two at the Central Equatoria State level, and Juba County and Juba City Council have a role in urban sanitation. SSUWC is indirectly involved. Figure 1 below shows the different institutions involved in urban sanitation in Juba, together with their roles and relationships.



3.2.1 Ministry of Electricity, Dams, Irrigation and Water Resources

MEDIWR is responsible for formulating policy on water supply, planning, and establishment of the water supply facilities related to urban water. This is done under the Directorate of Programs and Planning which works in close cooperation with SSUWC. MEDIWR is responsible for development of infrastructure, which is handed over to SSUWC to manage on behalf of the government.

Although most activities are focused on water supply, the ministry is also involved in planning for urban sanitation at the national level. This is through the Urban Water Supply, Sanitation and Hygiene (WASH) Subsector Investment Plan, which was developed in 2013 to attract investments to the sector for the next five years (2013 to 2018). The plan estimates investment requirements of US \$945 million, largely focused on provision of water supply for urban areas in South Sudan. The investment plan includes a provision for exhauster tankers; wastewater treatment facilities; and subsidy schemes for construction of household toilets and hygiene and sanitation public awareness customer surveys for 3 cities, 22 major towns, 25 minor towns, and 42 small towns.

The ministry is also piloting the joint provision of water and sanitation services through the Yei Water and Sewerage Company (YWSC) in Yei town. YWSC's sanitation services consist mainly of construction and management of ablution blocks by the YWSC with funding from GIZ.

Other sanitation activities within this ministry are undertaken by the Department of Rural Water Supply and Sanitation Services, which has responsibility for establishment of sanitation facilities including construction of ablution blocks in schools, health centers, and at trading centers. The department also undertakes hygiene promotion and community-led total sanitation activities. Although the department focuses on rural areas, it does carry out activities in peri-urban areas.

3.2.1.1 South Sudan Urban Water Corporation

SSUWC was established by Decree in 2007 and by Presidential Order in 2011, and is mandated as the official urban waterworks of South Sudan and the organization responsible for providing water supply services to urban citizens of South Sudan. SSUWC has its head office in Juba and six branches in Juba, Wau, Maridi, Malakal, Bor, and Renk. The corporation is run by a Managing Director and has a Board of Directors chaired by the Minister for MEDIWR. The main function of the SSUWC is production and distribution of clean water. Currently, they have no mandate and no role in urban sanitation.

3.2.2 Ministry of Lands, Housing and Physical Planning

MLHPP is mandated to develop policies and programs for capital investments and provision of urban sanitation services in the state capitals and other major towns in South Sudan. Within the ministry, urban sanitation activities are the mandate of the Directorate of Urban Sanitation, which is headed by a Director General. One of their key functions is to provide or ensure the provision of suitable schemes for sewerage disposal and treatment in housing and urban areas. In this regard, key activities that the directorate has managed to date in Juba include rehabilitation of ministerial complex oxidation ponds and ministerial housing oxidation ponds, construction of the Roton wastewater treatment lagoon in Juba town, and construction of three ablution blocks in Juba town. The directorate also purchased six vacuum tankers which were handed over to the three Payams/Blocks of Juba, Munuki, and Kator. The Roton lagoon was handed over to the Commissioner of Juba County, Department of Public Health in Central Equatoria State. All these works were completed in 2010, and funded under the Multi-Donor Trust Fund (MDTF) administered by the World Bank. The ministry also has responsibility for formulating policy, standards, and regulations on urban planning and urban land management. The directorate has five engineers who work only on maintenance of government and ministerial sewer facilities.

3.2.3 Ministry of Health

The Ministry of Health is responsible for hygiene promotion and emergency intervention. In the Health Policy, the Ministry of Health is expected to raise awareness of the potential health hazards related to lack of adequate sanitation and hygiene services. The policy also requires that all renovated and newly constructed health facilities have adequate sanitation and hygiene services. The ministry has nine directorates, of which two are most relevant to sanitation:

1. Directorate of Preventive Health Services, under which is the Department of Environmental Health; and
2. Directorate of Primary Health Care, under which is the Department of Health, Education, and Promotion that is responsible for social mobilization and hygiene promotion.

These two directorates act as a lead agency in community outreach programs on all diseases including waterborne ones like cholera. They coordinate preparation of messages and campaign approaches and then supervise the state Ministry of Health, Juba County and Juba City Council who conduct the actual community outreach.

3.2.4 Ministry of Environment

The Ministry of Environment was created in 2010, and is responsible for environmental protection. The ministry has six directorates including the Directorate of Environmental Management, which manages the Department of Pollution Control, Department of Waste Management, and Department of Environmental Impacts. The Department of Waste Management is supposed to prepare and enforce environmental guidelines while the Environmental Impact Assessment (EIA) team is supposed to enforce undertaking and implementation of EIA studies, control waste management, carry out inspections, and provide technical assistance and advice to developers. Operations of the ministry are currently hampered by the fact that there is no environmental law to compel enforcement although a draft bill on environmental management has been prepared.

3.2.5 Organization of Sanitation at Central Equatoria State Level

South Sudan has 10 states of which Central Equatoria State is housing the seat of government in Juba. Each state is administered by a state governor who is an elected official. The governor is assisted by the deputy governor and state ministers who are appointed by and report directly to the governor. Not all national-level ministries are represented at the state level, and those that are do not necessarily have the same mandates or titles as those at the national level. Among the ministries that have some role in urban sanitation, only the MLHPP and Ministry of Health are represented at the Central Equatoria State level.

3.2.5.1 Ministry of Infrastructure and Rural Water

In Central Equatoria State, MLHPP is called the Ministry of Infrastructure and Rural Water. The ministry does not play any direct role in urban sanitation. However, the ministry is responsible for land administration including issuing titles, undertaking land surveys, and urban planning. MEDIWR, although not represented in Central Equatoria State, seconds engineers to the Department of Water and Sanitation in the Ministry of Infrastructure and Rural Water. This department only deals with urban water supply issues in the county, and sanitation in the rural and peri-urban areas.

3.2.5.2 Ministry of Health, Sanitation and Environment

In Central Equatoria State, the Ministry of Health also assumes responsibility for sanitation and environment. The ministry has three departments as follows:

3. Department of Health: responsible for primary and curative health including training and recruitment of medical personnel;
4. Department of Sanitation: responsible for liquid and solid waste management, food safety, inspection of premises for sanitary issues, animal slaughter and hygiene

promotion; and

5. Department of Environment: responsible for environmental protection including developing and enforcing environmental policies and laws.

The ministry carries out oversight and supervisory functions while implementation is carried out at county, city, and block levels.

3.2.6 Organization of Sanitation at Juba County Level

Juba County has 13 payams, excluding the three that make up the City of Juba. The county is headed by the county commissioner who is the representative of the state governor in the county and is accountable to the legislative council. The commissioner is responsible for ensuring service delivery in the county. For sanitation activities, the county has a Department of Water and Sanitation and a Department of Health. The Department of Health follows up sanitation and hygiene issues in the county. The Department of Water and Sanitation focuses on water supply and sanitation in the county. The Department of Health is headed by a Director of Public Health who reports to the commissioner, but is employed and seconded by the Ministry of Health and Environment at the Central Equatoria State.

Even though the county has no direct responsibility over sanitation matters in the City of Juba, currently, Juba County is working as a partner to Juba City Council because of the location of the Roton wastewater lagoon in Northern Bari Payam (a rural payam administered directly by the county and not the council). This involvement of Juba County came about because at the time construction of the lagoon was completed, Juba City Council did not exist and the entire area was under the jurisdiction of the county. The key functions of the county include the day-to-day management of the Roton wastewater lagoon, including setting and collection of sludge emptying fees, and administration of the sanitation account into which these fees are deposited. Until September 2014, the county was also responsible for regulation of the private exhauster businesses. This included at the beginning of each year, on a rotational basis, directing one of the three city payams/block councils (Juba, Munuki, and Kator) to inspect, register, and issue sanitary licenses to all the exhauster trucks operating in the city. This function was taken over in October 2014 by the Department of Environment and Sanitation within Juba City Council.

3.2.7 Organization of Sanitation at Juba City Council Level

Juba City Council is a corporate body divided into block councils and quarter councils. Juba has three blocks (Juba, Munuki, Kator) and 55 quarter councils. Juba City Council is headed by the mayor, who is the representative of the state governor in the city council and is accountable to the legislative council. Powers and functions of the mayor include organizing the executive institutions of the city to perform their functions diligently, executing policies and by-laws passed by the legislative council, initiating legislation to the legislative council and signing them into law, mobilizing and organizing the general public to play an effective role in service delivery, and coordinating activities of government and all other actors in the city.

Under the Local Government Act of 2009, Juba City Council, like all other local governments, has many powers related to sanitation. Key powers include provision of basic services, regulation administration and protection of local government council land and natural resources, acquisition of land from relevant authorities for use for service provision and development, regulation of business trade licenses, working conditions, hours and local holidays within their area, town and rural planning (Local Government Act, Schedule I).

Concurrent powers of Juba City Council include public health policy, regulation, and management; urban development planning and management; delivery of primary and secondary services; disaster preparedness and epidemics control management; electricity generation, electric and water supply, and waste management; and environmental protection, conservation, and management (Local

Government Act, Schedule 11).

Juba City Council is expected under the Local Government Act to establish and maintain water drainages and potable water facilities; plan, prepare, and execute projects for the promotion of environmental health; supervise potable water and ascertain the wholesomeness, and secure the sources and prevention of pollution thereof; undertake public cleaning and disposal of refuse, human, and animal solid wastes; establish public toilets and lay down the rules for using and monitoring the same and specifications for private toilets; and disseminate health awareness including HIV/AIDS (Local Government Act, Schedule 111).

Currently, Juba City has two departments with some possible role in sanitation: Department of Public Health, which is responsible for water and environmental sanitation; and Department of Environment and Sanitation, which is responsible for solid waste management in the city, including garbage collection and collection of solid waste charges from consumers and public health inspections. In October 2014, this department also took over the function of registering and issuing sanitary licenses to exhauster tanker operators in the city.

The tasks related to solid waste management were previously undertaken by the Department of Public Health, which is headed by the Director of Public Health. Given the new dispensation with the Department of Environment and Sanitation, it is not clear what the role of this department is at present. A key point, however, is that at present Juba City Council does not employ any technical staff as it has not yet been given the necessary legal mandate to do so. Therefore all technical staff in the two departments, including the directors, are employed by the Ministry of Health, Sanitation, and Environment and seconded to the Juba City Council, including at payam level. The salaries of these seconded staff are paid by the Ministry of Health, although the city council provides all necessary tools and equipment to facilitate the work of these staff. The city council, on the other hand, currently employs only laborers and administrative officers (Table 1).

Table 1: Public Health Staff at Juba City Council

Technical Staff				Laborers (Employees of the Council)			
Payam/Block	Public Health Officers	Assistants	Total	Environment Sanitation Officers	Permanent Workers	Casuals (Local)	Total
Juba Block	8	3	11	3	54	60	134
Kator Block	10	4	14	3	29	106	135
Munuki Block	8	6	14	4	47	55	102
Total	26	13	39	10	130	231	371

Source: SUWASA Sanitation Institutions Mapping, 2014

At the block level, each has a Department of Health that houses the public health unit, as well as a Department of Public Works, which houses the engineering unit. In the block, the deputy director for public health is in charge of liquid waste management. Currently each block owns and manages two exhauster trucks, which were procured by the MLHPP under the MDTF. The budget for managing the exhausters comes from the block budget, funded from local levies, taxes, licensing charges, etc. The block is also responsible for maintenance of the trucks. The exhauster trucks are used purely for business purposes and therefore a source of revenue for the blocks. The Juba City Council, through the leadership team (comprising the mayor, his two deputies, directors of the three blocks, and all

heads of departments), makes decisions on pricing the exhauster services provided by the block council. The block councils are responsible for management and supervision of public toilets.

4.0 Discussion of Main Findings

4.1 Conclusions on Institutional and Legislative Arrangements

4.1.1 Existing Policy Framework

From the preceding sections, it can be concluded that the Government of South Sudan has a basic policy framework in place for management of urban sanitation. In anticipation that urban cities like Juba will eventually develop piped sewerage systems, the policy provides for management of sanitation as an integrated service with piped water supply - ideal for cost recovery and sustainability reasons. Managing water and sanitation in an integrated manner will require the government to streamline institutional arrangements in the sector to move away from the current fragmented process, and have only one entity tasked with this responsibility. This is not anticipated to happen until the City of Juba has developed sewer networks, in the long term.

The policy also provides for participation of other relevant key actors, in particular the private sector. This is crucial in the case of Juba, as the lack of a sewer network will for the foreseeable future require the city to continue to rely on onsite sanitation facilities and related mechanized emptying. This service is currently being provided by the private sector and should continue as such. In this regard, it is worth pointing out that the UWSS Investment Plan proposal for more sewage tankers is appropriate, but that in cities such as Juba where the private sector has already responded to this market, they should be encouraged to continue rather than the public sector also getting involved in managing exhauster tankers. The long-term viability of this service is probably more assured with the private sector and saves the government money.

The Local Government Act, together with the WASH Strategic Framework, provide a framework for service delivery at the lowest level. In the case of Juba, these policy provisions firmly position the responsibility for sanitation services delivery as a responsibility of the Juba City Council. These policies, however, need to be translated into reality to empower the Juba City Council to carry out its sanitation tasks effectively.

4.1.2 Development of Legal Framework

The analysis in this report shows that while some progress has been made with development of relevant legislation, there is still need to have the Water Bill enacted into law so that both the National Water Policy and WASH Strategic Framework can be fully operationalized. The enactment of this law will also aid clarification of institutional roles and responsibilities - especially those between MEDIWR and MLHPP.

It is also necessary to complete and enact the environmental law to ensure that development and use of sanitation facilities does not have negative impacts on the environment.

At the state and city levels, it will be necessary to develop and enact by-laws to guide sanitation service delivery in the city, including proper design and construction of sanitation facilities as well as operation of exhauster tankers.

4.1.3 Fragmentation of Institutional Roles

The urban sanitation sector in South Sudan like that of other African countries - fragmented with many government agencies having some role. As noted above, and summarized in Table 2, there are at least four national ministries (Water, Lands, Health, and Environment), two state-level ministries (Infrastructure and Health) and two local-level agencies (Juba County and Juba City Council) with some role in sanitation. This fragmentation impacts the ability of the sector to attract investments.

For many financing partners, especially donors, it is easier if there is one point of contact for water and sanitation development, especially if it involves large and expensive infrastructure like sewer networks and wastewater treatment facilities. This is generally because cost recovery from sewerage is closely associated to cost recovery from water supply, a service for which people are more willing to pay. This is why general industry practice is to plan for investments for water and wastewater concurrently. The present situation, where MEDIWR is only developing water infrastructure and MLHPP developing sanitation infrastructure apart from raising transaction costs, is not ideal - especially in the long term.

Second, fragmentation leads to lack of clarity about who to hold accountable for non-delivery of services. For instance, in the case of Juba, who should be held accountable for the poor state of operation of the Roton lagoon? Even though the county commissioner is managing the lagoon, it is really not his problem because the fecal waste is not generated in his area of jurisdiction. At the same time, the mayor cannot be held accountable because even though the waste is coming from his city, he has no control over the lagoon. The Ministry of Housing who built the facility cannot also be held accountable because they are not managing the facility. This simple example highlights why having clarity on who is doing what is critical for the success of the sector.

Table 2: Key Issues in Institutional Arrangements for Sanitation in Juba

Institution	Mandate	Current Sanitation Roles Played in Juba	Policy/ Legislative Provisions	Comment/ Analysis
Ministry of Lands, Housing, and Physical Planning	Urban sanitation policy and development of urban sanitation infrastructure	Management of ministerial and government sewer system including two associated lagoons		
Ministry of Electricity, Dams, Irrigation, and Water Resources	Policy and development of urban water supply infrastructure Policy and development of rural water supply and sanitation	None	Assigned overall responsibility for urban and rural WASH in the national water policy and WASH Strategic Framework	Have direct control and influence over SSUWC and would therefore have responsibility for urban sanitation infrastructure development under the strategic framework. The ministry has the biggest overlap/conflict with MLHPP
Ministry of Health (RSS)	Policy and implementation of hygiene promotion and public health campaigns	Hygiene promotion and social mobilization for waterborne outbreaks		

Ministry of Environment	Policy and enforcement of environmental protection		Developing environmental management law	Key issue is to get the law passed so the ministry has the tools to enforce environmental standards
Ministry of Health (CEG)		Provide all technical staff to Juba City Council and county		Current strong partner to the city through provision of technical staff but limited to public health staff.
Juba County	Management of service delivery in Juba county	Management of Roton wastewater lagoon and regulation of exhauster tankers		Inherited the Roton lagoon due to the fact that at the time, Juba City Council was not yet established. Have insufficient technical manpower to manage the plant.
Juba City Council	Management of service delivery in Juba City	Licensing of exhauster tankers Collection and transportation of fecal sludge	Mandated to provide basic services under the Local Government Act of 2009	Have legal mandate over sanitation but no technical expertise in-house to manage facilities. However, under current arrangements, they could get technical staff seconded from the ministries at CES level. Duplication of registration by Block councils may constrain proper regulation of the exhauster tankers
South Sudan Urban Water Corporation	Provision of water in Juba city	None	Assigned overall responsibility for urban water and sanitation in the water policy and WASH Strategic Framework	Natural home for piped sewerage systems and related treatment plants due to availability and access to technical expertise.

4.1.4 Institutional Conflict

There is an institutional conflict between MEDIWR and MLHPP. As Table 3 below shows, even though the mandate for urban sanitation lies with MLHPP, it is MEDIWR that has developed the policies, legal framework, and investment plans for the subsector.

Table 3: Sanitation Related Policies, Legislation and Plans by Government Ministry

Government Ministry	Existing Policy, Legislation and Plans
Ministry of Electricity, Dams, Irrigation, and Water Resources	<ul style="list-style-type: none"> • National Water Policy 2007 • WASH Strategic Framework 2011 • Draft Water Bill 2013 • Urban Water Supply and Sanitation Investment Plan 2013
Ministry of Lands, Housing, and Physical Planning	
Ministry of Local Government	Local Government Act 2009
Ministry of Health	National Health Policy
Ministry of Environment	Draft Environmental Management Bill

The combination of the National Water Policy 2007; WASH Strategic Framework 2011; Draft Water Bill 2013; and Urban Water Supply, Sanitation, and Hygiene Subsector Investment and Implementation Plan (2013) effectively locates the function of urban sanitation within MEDIWR. MEDIWR has not only developed policy, but is also actively involved in sanitation activities through its activities in YWSC. The position of MEDIWR is further strengthened by the fact that urban sanitation, due to the potential for developing piped sewerage systems, is strongly linked to the utility that would be responsible for piped water supply. In the case of South Sudan this would be South Sudan Urban Water Corporation which is a part of MEDIWR.

The fact that MLHPP currently has no policy or plans for the subsector only serves to strengthen the position of MEDIWR as the home for urban sanitation. Given this scenario, there is need for government to determine whether there is need to have the two ministries involved in urban sanitation or to move forward with bringing the two functions under MEDIWR as recommended in all existing policy documents and plans.

4.1.5 Juba City Council: Mandate but Low Capacity

Whilst it is apparent that Juba City Council has the legal mandate over urban sanitation, four outstanding issues are worth noting.

First, the city council currently does not have sufficient technical capacity to carry out most of the associated tasks. The fact that the city council does not employ technical staff but relies fully on seconded staff from the Ministry of Health is particularly worthy of note. This arrangement means that even though the council may not have its own staff, it can rely upon staff from the state ministries for technical matters. However, as the mayor cannot hire and fire his own technical staff, this presents a challenge in his ability to discipline and get full accountability from these staff. This situation is compounded further by the fact that the city does not pay the salaries of these staff, the ministry does. If the city has to take full control of sanitation in the city, then the city council should be enabled to employ and pay its own technical staff.

Second, it will be necessary to clarify and define the roles of two departments: Public Health and

Environment and Sanitation. Both seem to have similar tasks. Presently, the council seems to be investing significant resources and energy into the Department of Environment and Sanitation, which has since taken over all solid waste functions as well as the registration of tankers. It may be worthwhile to continue the process of centralizing the sanitation function within this department and determining either new functions for the Department of Public Health or doing away with it.

Third, Juba County is currently involved in the management of the Roton lagoon, which serves the city. This came about because, at the time construction was completed, Juba City Council did not exist and the entire area was under the jurisdiction of the county. Currently, the county does not have sufficient technical capacity to manage the lagoon. A further issue to consider is that there is no evidence that funds being collected from the exhauster tankers are being re-invested in the lagoon. The fact that the city now exists and the bulk of the fecal sludge being brought to the lagoon is emanating from the city means that the viability of the current arrangements needs to be reconsidered.

Finally, as the private sector has responded positively to provide mechanized exhauster services, it will be important for the Juba City Council to reconsider whether it wants to continue playing the role of both provider of exhauster services, through its blocks, while at the same time regulating those same services. Given the current problems of maintenance of these trucks by the council, and the experience from other African countries, it might be worth the council focusing their resources on enabling and regulating the private sector rather than being involved directly in service provision.

4.2 Conclusion

The urban sanitation sector in South Sudan and Juba is new and faces institutional challenges akin to other countries in the region. While there are no simple answers to these challenges, progress is being made, albeit slowly, and the key is to build on this. Service delivery should be managed at the lowest possible level that has the mandate and the capacity to do so to ensure enhanced efficiency and effectiveness in service delivery. To the largest extent possible, the Government of South Sudan must maximize use of the private sector and promote enhanced collaboration among the different institutions.

4.3. Challenges and Lessons Learned

5. There were no major challenges experienced with this survey, as it was mainly based on interviews with key informants. The exercise, however, required many repeat visits and discussions to clarify issues.
6. Data analysis, ability to follow up on data cleaning, and completion of the report were severely delayed by the political crisis that erupted in December 2013. The delay also meant that the analysis had to change as the situation on the ground was changing.
7. As institutions are still emergent in South Sudan, collecting and analyzing data had to be an iterative process with respondents as most are also not clear about the existing institutional arrangements as well as policies and laws. It must also be restated that this was a rapid assessment of institutional arrangements and may therefore not be comprehensive. It is possible that some information may be misrepresented or misinterpreted as a result.
8. On a positive note, the collaboration between SUWASA, Juba City Council, and all other stakeholders has made for production of a useful and interesting report that provides key information about the current institutional arrangements for urban sanitation in Juba specifically, and in South Sudan more broadly.

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Appendix A: Sanitation Survey Questionnaires

SUWASA - South Sudan Sanitation Project
Rapid Assessment of Institutions involved in Sanitation
Interview Guide

1. Organisation
2. Name of interviewee
3. Gender of interviewee
4. What is interviewee's academic/professional qualification?
5. When was interviewee employed by the organisation?
6. Job title or position of interviewee
7. When was the organisation created/ established?
8. What is the position of the executive head of the institution?
9. What is the position of the political head of the institution?
10. How much is the organisational budget and where does it come from?
11. How many and what are the departments that make up the organisation (collect organogram)?
12. Under which department does sanitation fall?
13. What are the duties/responsibilities of the department?
14. What is the position of the head of sanitation?
15. How many and what sections does the sanitation department have (collect organogram)?
16. How many people are employed in each section and what are their exact positions and professions?
17. Explain what each section does.
18. Does the department have a sanitation plan (ask for it)?
19. How much is the departmental budget and where does it come from?
20. What are the projects that have been undertaken by the department since 2012?
21. Who are the donors and NGOs supporting the department right now?
22. How does the department relate to the other departments in the organisation?
23. Who are the other government agencies the department works with on a regular basis and in what areas?
24. Who are the private sector organisations the department works with on a regular basis and in what areas?
25. What are the departments main challenges?
26. What are the departments main opportunities?

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