



## **2<sup>ND</sup> AFRICA WATER SUPPLY AND SANITATION REGULATORS CONFERENCE**

***Theme: INITIATIVES FOR REGULATORY IMPACT***

**3<sup>rd</sup> – 5<sup>th</sup> October 2023**

***Speke Resort and Conference Centre,  
Munyonyo, UGANDA***



## **CONFERENCE REPORT**

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## 1. BACKGROUND

The ESAWAS Regulators Association has been organizing annual conferences for more than ten years, for its members to share knowledge and experience in a bid to improve water supply and sanitation (WSS) regulation within the region through mutual learning.

In 2022, in line with ESAWAS' Strategic Objective to 'Expand the Association's services beyond the region' and based on findings of the regulatory landscape study across Africa, the gathering was extended to all institutions with primary responsibility for WSS regulation in Africa. In this regard, the first Africa WSS Regulators Conference was held in Zanzibar from 15<sup>th</sup> to 17<sup>th</sup> November 2022 and highlighted a number of areas of mutual interest and challenges among the different regulatory institutions that could be tackled at a continental level and provided the motivation for a second Africa WSS regulators conference.

The 2<sup>nd</sup> Africa WSS Regulators Conference was held under the auspices of the Water Utility Regulation Department (WURD) of the Ministry of Water and Environment of Uganda at Munyonyo Resort and Conference Centre from 3<sup>rd</sup> to 5<sup>th</sup> October 2023. It was attended by more than 150 participants from 44 African countries and over 18 partners supporting regulation. Delegates included representatives of institutions with regulatory mandate, Ministries, utilities and partners such as AMCOW, AFUR, AfWASA, BMGF, WHO, UNICEF, WIN, WSUP, NIYEL among others. The two and half day conference was followed by the ESAWAS Annual General Meeting on 6<sup>th</sup> October to discuss the internal operations of the Association.

## 2. CONFERENCE THEME



The 2023 Conference theme was **"Initiatives for regulatory impact"**. The selection of this theme was grounded on ESAWAS' cognisance of the fact that, while implementation of regulation should align with the specific context of a country, the principles of regulation are the same. This allows for sharing of knowledge and experience for adoption and adaptation of good practices.

The conference was an opportunity to showcase various initiatives instituted by regulators, policy makers and stakeholders to address sector challenges and create positive lasting impacts in the WSS sector through effective regulation. The conference also served as a podium for gathering evidence on the beneficial role of regulation by demonstrating its impact on WSS service provision.

### 3. CONFERENCE PROCEEDINGS

#### 3.1. Opening ceremony

The opening ceremony featured welcoming remarks, keynote presentations and addresses by different sector experts as well as official opening speech by the Minister of Water and Environment in Uganda. All the speakers reiterated the importance of regulation in advancing WSS service provision and ultimately accelerating the progress towards achieving SDG 6 targets.



Delivering his welcoming remarks, the Chairperson of ESAWAS, Mr Balthazar Nganikiye, provided a brief background of the Association and highlighted the key achievements of the period. These included the technical assistance and advocacy provided to countries wishing to establish WSS Regulators or strengthen existing regulatory institutions; support to members for the implementation of Citywide Inclusive Sanitation and the implementation of a public data systems strengthening strategy that will assist countries to improve the accuracy and reliability of data. Other notable achievements are the capacity building of members in various aspects of regulation and the development of the feasibility strategy for a dedicated Africa-based WSS regulation training centre. Speaking on the conference theme, the ESAWAS Chairperson underscored the role of WSS regulators in meeting SDG 6 targets, emphasizing the importance of learning and possibly adopting successful initiatives to accelerate improvements in WSS service provision.

The opening of the conference was officiated by Honorable Sam Cheptoris, the Minister of Water and Environment in Uganda. In his speech, he lauded the efforts and collaboration between ESAWAS and the Ministry in coordinating the conference. He emphasized the role of effective WSS regulation in achieving the SDGs, but also the national development agendas by

improving service coverage, quality and sustainability while ensuring access to service by vulnerable and low-income populations. Referring to the detrimental impacts of climate change on water and sanitation services, he implored the conference participants to devise and implement mitigation and adaptation measures to address not only climate change impacts but also effects of population growth, rapid urbanisation and other global uncertainties.



The official opening was followed by keynote remarks and presentations. Speaking on behalf of the Executive Secretary of AMCOW, Mr Thomas Banda provided insights on policy initiatives to support regulation. Video remarks by Mr Oswald Chanda of the African Development Bank and Mr Gustavo Saltiel of World Bank outlined the Banks’ support programmes for strengthening WSS regulation. Mr James Manda, the Technical Manager at African Forum of Utility Regulators (AFUR) presented the key emerging areas for consideration in regulation.

### 3.2. Presentations and panel discussions

The keynote presentation by the ESAWAS Executive Secretary set the stage for conference deliberations, outlining key aspects to be discussed that demonstrate that the cost of non-regulation is higher than the cost of establishing a regulator. This was covered in various technical presentations grouped into the following three categories:

#### 3.2.1. Initiatives in policy, legal and regulatory mechanisms

- **Effective Regulatory framework in an evolving sub-national water sector** – presented positive impacts of establishing the state regulator and the development of adequate regulations on water and sanitation in Ekiti State of Nigeria;

- **Enhancing urban sanitation regulation** – looked at various regulatory mechanisms deployed by Kampala Capital City Authority to improve onsite sanitation service delivery. These include well-defined institutional framework, PPP, compliance monitoring and enforcement;
- **Regulating for impact and innovation to achieve universal access to water and sanitation services** – discussed novel incentives and tools introduced by regulators to enhance WSS service delivery to marginalized communities while ensuring affordability;
- **Minding the gap: guidelines for small and rural water supplies** – provided a preview of WHO's guidelines for drinking water quality emphasizing risk-based regulation, management and surveillance of small water supplies.

### 3.2.2. Initiatives in regulatory tools

- **Tariff policy for emerging utilities** – presented the water tariff policy review undertaken by Uganda to cater for both on-grid and off-grid water and sanitation systems;
- **SaniTracker Digital System** - a digital solution to enhance regulatory oversight and strengthen private operator engagement and accountability in non-sewered sanitation service provision;
- **SERVQUAL Model** - for the evaluation of water consumer satisfaction in terms of reliability, responsiveness, assurance, tangible and empathy towards the service delivered;
- **WASHREG Approach** - a practical tool to improve regulation by understanding the elements of WASH regulation, identifying the gaps and providing conceptual framework for regulatory reform.

### 3.2.3. Initiatives in cooperation and joint action

- **African Sanitation Leaders Program** - initiated by NIYEL to build the capacity of mid-level managers from utilities, regulators, government departments, private sector and civil society, equipping them with leadership skills needed to lead change and innovation within the sanitation sector;
- **RegWAS LAC programme** - which brings together regulators and authorities with regulatory and supervisory functions, governments, international organizations and experts for cooperation and joint action aiming improve public policies and regulation at scale.
- **Utility regulation and reforms** – where cooperating partners presented their support for strengthening WSS regulation and service provision within countries and institutions.

### 3.3. Closing Session

#### 3.3.1. Key outcomes and takeaways

The 1<sup>st</sup> Africa WSS regulators conference flagged the need for a dedicated Africa based training centre for WSS regulation and the need of single voice for stronger advocacy and funding support, recommending ESAWAS to take the lead in addressing those needs.



In this line, one of the major outcomes of the 2023 conference was the endorsement of the feasibility strategy to establish a dedicated Africa-based WSS Regulation Training Centre under ESAWAS

with first training courses planned to be delivered by June 2024.

Another major outcome was the resounding endorsement of the strengthening of the ESAWAS Regulators Association to continental level. Delegates lauded ESAWAS' efforts to promote and strengthen WSS regulation and to continue doing this at a larger African continental scale. Membership of ESAWAS would thus be opened to the continent with step-wise growth.

Additionally, the conference deliberations highlighted the following key takeaways:

- ✓ Data Collection, analysis and interpretation is key to effective WSS regulation;
- ✓ Commitment to regulate for improved service provision through sound standards and guidelines;
- ✓ Service resilience and emergency preparedness for sustainability should be at the forefront;
- ✓ Need to support and incentivize regulatory compliance – including rewarding best performers;
- ✓ Consumer feedback should be prioritized to advise improvement of service provision;
- ✓ Regulation is a specialized field, therefore there is a need to build the capacity for the stakeholders in the areas of regulation;
- ✓ Regulators must have clear vision and agenda for what needs to be achieved to progress the sector. This will determine the kind of funding and support that comes from development partners;

### 3.3.2. Key points of action

As key actions, ESAWAS will continue to concert efforts in the following:

- i. Strengthening regulatory tools for data collection and management;
- ii. Development of regulatory frameworks for rural and off grid WSS and service resilient services;
- iii. Enhancing technical capacity development through the training centre;
- iv. Widening regulatory enhancement through strategic partnerships; and
- v. Increasing support to non-members through formalized partnerships.

### 3.3.3. Closing note

The two and half day conference was officially closed by Eng Christopher Tumusiime, the Commissioner of the Water Utility Regulation Department of the Ministry of Water and Environment in Uganda. He commended the active participation of the delegates, the deliberations and commitment to advance WSS Regulation in Africa and globally.



## 4. CONCLUSION

The 2<sup>nd</sup> Africa WSS Regulators Conference was a great opportunity for regulatory institutions, utilities and stakeholders to share and learn from initiatives that brought tangible impacts in Water and Sanitation sector. The presented initiatives covered policy review, regulatory frameworks, tools and instruments as well as cooperation programmes all aiming at strengthening regulation for improved water supply and sanitation service delivery. The conference acknowledged the efforts of ESAWAS in promoting WSS regulation and endorsed the Association expansion to continental level.