

# THE WAY FORWARD TO SAFEGUARD WATER IN LEBANON

**Silva Kerkezian & Zeinab Farhat**

Issam Fares Institute for Public Policy and International Affairs, American University of Beirut

*This policy brief is based on the research report “The Way Forward to Safeguard Water in Lebanon: National Water Integrity Risk Assessment”, prepared by Nadim Farajalla, Silva Kerkezian, Zeinab Farhat, Rana El Hajj, and Michelle Matta, April 2015, in addition to the feedback from the high-level decision-makers’ meeting on water integrity in Lebanon, December 18, 2015. The report was prepared as part of the Capacity Building Programme on Water Integrity in the MENA region implemented by the Stockholm International Water Institute and partners with the financial support of the Swedish government.*

## MAIN RECOMMENDATIONS

In order to rebuild the lost trust between the Lebanese citizen and the public authorities, the implementation of a multi-sectoral anti-corruption strategy, coupled with legislative reforms in the water sector is imperative, and should include:

- ▶ Adoption of an anti-corruption strategy that enjoys a high level of independence and reinforces transparency, accountability, public participation and subsequently prevents different types of corruption at various levels and on a multi-sectoral basis
- ▶ Legislative reform of the water sector that clearly identifies roles and responsibilities of the relevant public institutions
- ▶ Improve policies and procedures of human resources departments at public institutions
- ▶ Monitoring systems that will measure and subsequently help rationalize water consumption
- ▶ Enhance accessibility and availability to data and information through the formation of a national water projects’ database and the passage of the draft law of access to information

## Main Findings

Challenges to achieving water integrity in Lebanon are present in the Lebanese institutions at different levels and were identified as:

- ▶ Government ineffectiveness, corruption, and clientelism in procurement and public works, in addition to inequitable distribution with the absence of government budgeting
- ▶ Absence of proper legislation that clearly identifies roles and duties within and between institutions leading to overlaps in responsibilities
- ▶ Favoritism and bureaucracy in public employment
- ▶ Misuse of water resources through illegal connections to the water supply network and the prevalence and uncontrolled pumping from illegal wells
- ▶ Inaccessibility to data or information available at public authorities

## Problem Statement and Methodology

In 2010, the Ministry of Energy and Water (MoEW) estimated Lebanon’s annual available water per capita from renewable sources at 926 m<sup>3</sup>, which is lower than the widely used international benchmark of 1,000 m<sup>3</sup>. Water resources in Lebanon are under continuous stress from a growing population, rapid urbanization, economic growth, pollution, and climate change, in addition to the recent influx of refugees.

One of the greatest challenges is the weak governance and mismanagement of the sector. An improved governance system, characterized by integrity should be top priority in the tension against water scarcity in Lebanon. Within this context, researching and assessing integrity within the water management context is a first of its kind in Lebanon. The assessment included a mapping of stakeholders, an analysis of official reports, strategies and laws of the



## **What are the Challenges to Water Integrity in Lebanon and How Can We Address Them?**

The following sections identify water integrity risks and recommended reform(s)

### **Risk 1: Government Ineffectiveness, Corruption, and Clientelism**

Corruption in Lebanon's managerial systems has caused several ripple effects including:

- ▶ **Limited Budgeting**, where the Lebanese government is still following the 2005 national budget which was set based on 2005 priorities and inflation levels. This has indirectly obliged governmental agencies to seek financial assistance from international donors that often regulate and restrict activities according to their agendas rather than local needs.
- ▶ **Procurement and Public Works** which are set and published on official websites. These systems are perceived as non-transparent; the procurement procedure which is regulated by law is the same for all public institutions, and in some cases there is misinterpretation and exploitation of the law where some contractors access the required standards and eligibility criteria from undisclosed sources.
- ▶ **Inequitable Distribution within the Water Sector** is due to the old infrastructure, political interference favoring certain areas for water distribution, and the inability of the WEs to provide water because of electricity cuts and the high costs of fossil fuel. Concerns about water privatization were expressed as a worry that privileged access will be provided to those who are capable of paying, causing the water as a good to become a luxury rather than a necessity.

***“No one can be hired in the public sector unless he/she has passed through the political leaders who ensure the person’s loyalty to them.”***

### **Reform 1: An Anti-corruption Committee and Strategy**

The current draft law for the formation of an anti-corruption committee is recommended to be revived at the parliament for further revision and endorsement. This committee would need to enjoy a high level of independence, as opposed to the current obligation of reporting to either the executive or the legislative power.

The anti-corruption committee's framework would go hand-in-hand with the goals of an anti-corruption strategy, and provide a legal structure for the development of clear accountability mechanisms, introduction of transparent procedures which encourage public participation, the enhancement of access to public information, establishing

e-governance, and investigating corruption cases. The ultimate goal of this strategy would be directed towards preventing corruption rather than treating it. These reforms would be partially implemented through the implementation of the United National Convention Against Corruption.

### **Risk 2: Fragmented Legislation with Weak Enforcement**

Lebanon has a good baseline of laws and regulation related to the water sector which are poorly implemented and enforced. This results from the existing overlap of roles and responsibilities between and within institutions. The contributing factors to this are:

- ▶ Lack of operational decrees for existing laws and long processes or delays in ratification of laws.
- ▶ Weak legal prosecution, and absence of a single entity that is responsible for enforcement and follow-up on violations
- ▶ Absence of accountability mechanisms and the presence of corruption within the monitoring agencies
- ▶ Political deadlock
- ▶ Deficit in human and financial resources in institutions related to the water sector, mainly primary stakeholders
- ▶ Poor coordination between relevant ministries

### **Reform 2: Legislative Reform and Enforcement**

- ▶ Issuance of the stated operational decrees referred to in Law 221/2002 Article 9, could be considered as a first step towards legislative reform. These decrees would elaborate each institution's roles and responsibilities in relation to planning and implementation of water resources policies.
- ▶ Adoption of a basin management approach which will be a form of decentralized resource management.
- ▶ Creation of a national water board that includes all involved executive and legislative governmental bodies. Most importantly, this board shall overlook activities in relation to water resource and sector management and shall be interconnected and represented within the anti-corruption committee.
- ▶ Activation of existing mechanisms and institutions which promote and regulate accountability and transparency in the public sector is urgently needed. Based on Article 19 of law 4517/1972, public institutions are under the obligation of submitting annual reports of their work (performance, financial audits and progress reports).

### **Risk 3: Favoritism and Bureaucracy in Public Employment**

Jobs in the public sector face a twofold problem. The Civil Service Board (CSB) which is responsible for ensuring that the right person gets to fill the right vacancy and thereby preventing nepotism, has been swayed from the proper execution of its job by political interferences. It further faces long delays in processing applications due to needless red-tape. “No one can be hired in the public sector unless he/she has passed through the political leaders who ensure the person’s loyalty to them.” Another challenge facing these jobs is the low salary which is not attractive to young professionals. These two problems combined with the freezing of hiring have resulted in understaffing; a more aged staff that restricts the application of modern methods, and the overloading of current staff with extra tasks.

### Reform 3: Improving the Policies and Procedures of Human Resources

- ▶ New human resource policies that clearly state the criteria required including the applicant's passing grade and his/her qualifications. These standards should be made public, thus limiting political interference in recruitment processes, in addition to being monitored by an independent party to ensure that the right person is in the right position.
- ▶ On the other hand, motivation can be promoted through a reward and sanction system, where civil servants can be held accountable by monitoring agencies, not by politicians. A supervision system would help in evaluating employees to receive rewards or sanctions according to their evaluations.
- ▶ A Code of Conduct for public institutions is highly advised with specific guidelines for monitoring agencies when assessing performance.

**“Sometimes all it takes to dig a well is money”**

### Risk 4: Misuse of Water Resources

- ▶ The main driver behind the increased prevalence of illegal wells and connections is the inability of the government to consistently provide water to all its citizens. This phenomenon has drastically spread, especially in the highly populated area of Greater Beirut due to the increasing population and increased water outages. Also, the inability of the government to support farmers and the absence of alternative sources of water has pushed farmers in rural areas into digging wells illegally for irrigation. “Sometimes all it takes to dig a well is money”.
- ▶ The absence of monitoring agencies and the lack of accountability mechanisms have further led to the eruption of this phenomenon which has been aggravated by people exploiting political connections or bribery to circumvent the law.

### Reform 4: Monitored Wells

- ▶ An accountable and transparent monitoring entity within the Ministry of Energy and Water, in collaboration with the Ministry of Interior and Municipalities to help control illegal connections to the network and the illegal digging of wells.
- ▶ Adoption of the metering system with set tariffs, which helps in controlling consumption, as well as further monitoring water use.

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### Risk 5: Lack of Availability of National Information and Data on Water

The limitation of water resources data is due to information-hoarding by institutions and the slow recovery of monitoring agencies from the civil war and its various impacts.

The weak level of collaboration between the academic sector and policy-makers has hindered the major role that research could play when setting long-term strategies and policies.

### Reform 5: Information on Water Resources Projects and Data Accessibility

- ▶ Creation of a reliable shared database of projects would facilitate sharing knowledge between institutions. The role of this database will be compilation and supervision of water-related projects. Compilation shall include, but not limited to, the following elements: project scope, executors, funding source and amount, beneficiaries, outcomes and outputs. This would improve performance, and increase transparency and accountability in planning and managing resources.
- ▶ Passage of the draft law of access to information by the Lebanese Parliament

### Conclusion

The parallel implementation of the respective reforms will ensure a higher impact towards achieving water integrity.

These reforms, based on the suggestions of a discussion session with high-level decision-makers in Lebanon, should be addressed in a more detailed manner to provide an implementation framework for a more proactive approach identifying the needed steps to achieve change.

Rebuilding the lost trust between the public institutions and the Lebanese citizen is an ultimate priority to safeguard the execution of these reforms.

### List of Acronyms

MoEW: Ministry of Energy and Water  
WEs: Water Establishments  
MoA: Ministry of Agriculture  
MoE: Ministry of Environment  
MoPH: Ministry of Public Health  
MoIM: Ministry of Interior and Municipalities  
LRA: Litani River Authority  
CDR: Council for Development and Reconstruction  
MoI: Ministry of Industry

✉ AUB Policy Institute (Issam Fares Institute for Public Policy and International Affairs)  
American University of Beirut  
P.O.Box 11-0236  
Riad El-Solh / Beirut 1107 2020  
Lebanon

📍 Issam Fares Institute Building  
AUB  
☎ 961-1-350000 ext. 4150  
☎ +961-1-737627  
@ ifi@aub.edu.lb  
🌐 www.aub.edu.lb/ifi



f aub.ifi  
🐦 @ifi\_aub