

**TERMS OF REFERENCE
FOR
THE GOU/DEVELOPMENT PARTNERS JOINT REVIEW OF THE
WATER AND ENVIRONMENT SECTOR, 14-16th OCTOBER 2009**

Background

The GOU together with sector development partners and other stakeholders decided to conduct annual joint sector reviews as one of the consultative arrangements for implementation of a Sector Wide Approach to Planning (SWAP) in the water and environment sector. The 2009 joint review is the 9th Joint Sector Review and the first joint for the Water and environment sub-sectors together.

The working groups for water & sanitation and environment & natural resources were merged during 2008 to form the Water and Environment Sector Working Group (WESWG). The two former working groups became sub-sector working groups. The Water and Environment Sector Working Group is the formal decision-making body for the sector. The working group represents the decisions of the two sub-sector working groups, that is Environment and Natural Resources Sub Sector Working Group (ENRSSWG) and Water and Sanitation Sub-sector Working Group (WSSSWG).

The sub-sector working groups meet regularly. The Water and Sanitation sub sector working group comprise of thematic teams and five sub-sector working groups:

- Water for Production
- Sanitation
- Governance
- Sector Performance
- Sector Finance

The Environment sub sector working group comprise of four thematic teams on the following thematic areas:

- Forests and trees
- Management of Wetlands
- Clean, healthy, biodiverse and productive environment
- Climate, weather and climate change

The **Joint Sector Review (JSR)** is a forum for performance assessment, budget and policy guidance, allowing a broad spectrum of stakeholders to get an insight into, discuss and influence sector developments. It is held annually, in September / October. It draws conclusions and makes recommendations on overall developments in the sector but is not a decision-making body. Any binding decisions during JSRs, such as formal undertakings for the forth-coming twelve months, will be endorsed by the Water & Environment Sector Working Group.

The **Joint Technical Review (JTR)** is a forum for a mid-term assessment and follow-up on the implementation of the undertakings. It is held approximately six months after the JSR. The JTR

consists of GOU officials, development partners and other sector stakeholders. Formal decisions during JTRs, such as revision of the JSR undertakings, if it is found necessary, are taken by the Water and Environment Sector Working Group.

The Joint Budget Support Framework (JBSF) provides a joint framework for assessing country performance as a basis for disbursement of both general and sector earmarked budget support. The assessment framework matrix is divided into three sections: i) preconditions for the effective and efficient implementation of Government policies, ii) progress with the implementation of specific policy and systemic reforms, and iii) sector progress indicators in key PAF sectors: education, health, water and sanitation, agriculture and roads.

There is a strong linkage between the JBSF and the already established and well functioning sector performance assessment framework. The sector level assessment will be based on the five shared and agreed (JAF) indicators extracted from the 11 golden indicators namely; i) Access to rural water services, ii) access to urban water services, iii) cumulative water for Production storage capacity, iv) compliance of water abstraction and discharge permits and v) Sanitation coverage. The actual discussions, assessment of progress made and final decision will take-place within the annual JSR framework. This data on achievement of the sector targets and benchmarks will feed into the JBSF.

The timing of the JSR is also linked to the start of preparations for the budgeting process for the next financial year and further this year to the mid-term review of the JWSSPS which will take place from end of October to mid December 2009.

The JSR outcomes also feed into the Annual Policy Implementation Review (APIR) of the overall government development programmes, which is undertaken by the Office of the Prime Minister.

The environment, natural resources and climate change sub-sector joined the JSR process in 2008 as an observer. The sub sector took an active part in the JTR of March-April 2009 and prepared its draft platinum indicators for field testing. This development added value to the JTR process and provided practical examples of the need for continued collaboration and coordination of the work of the two sub sectors. The JSR of 2009 is the first JSR in which the ENR sub sector is fully integrated. It is a challenging new development which requires an integrated approach with adjustments to the review procedures.

The developments in the water and sanitation sector were assessed during a Joint Sector Review (JSR) in October 2008 where the Review agreed on 6 new key policy level undertakings, which were endorsed by the Water and Sanitation Sector Working Group (WSSWG). The undertakings are listed in Appendix 1. Progress on the undertakings was assessed in the sixth Joint Technical Review (JTR), held in Mbale in April 2009.

A summary of progress on the six undertakings was reported to the 2009 JTR. The JTR noted that there was good progress on especially undertaking one and six but that progress of implementation of activities for the other four undertakings varies, and some were far behind schedule posing a risk of not being achieved by the time of this 2009 Joint Sector Review. The

JTR agreed that even if full implementation of some undertakings was difficult to attain before the next JSR, they should not be revised but reported on what could be achieved.

THEME, GOALS AND OBJECTIVES

Each year presentations and contributions are guided by a pre-determined theme originating from recent sector policies and implementation experiences. The theme for the JSR 2009 is:

“Sector Preparedness to mitigate environmental challenges”.

The overall aim of the 2009 Joint Sector Review in conformity with the above theme is:

To provide strategic guidance and recommendations in order to improve the sector’s preparedness to mitigate the effects of environmental challenges.

The specific objectives are:

1. To assess progress and performance of the sector are assessed in relation to the 11 key Water and Sanitation performance golden indicators and the 10 ENR platinum indicators and the 8th JSR undertakings.
2. To provide strategic policy direction as well as agree on key undertakings for the forthcoming twelve-month period.
3. To provide guidance towards better sector preparedness to mitigate environmental challenges.

METHODOLOGY

The main purpose of the JSR is to review sector performance to be presented in the Annual Sector Performance report 2009, which will be distributed to the main stakeholders prior to the JSR. This year just prior to the JSR, field monitoring visits covering the whole country, took place to verify at the local governments’ level the sector performance and identify constraints and issues connected to water supply and sanitation as well as environmental implementation. The field monitoring teams consist of senior representatives from the various sub- sectors and will be joined by development partners. The findings of the field monitoring teams will be presented at the JSR.

This year, like in the last JSR, selected local governments, NGOs, private sector and other service providers have been invited to the Joint Sector Review and the JSR programme is reflecting this.

Joint Sector Review

The Joint Sector Review will be organised from 14 – 16th October 2009 at Hotel Africana, Kampala. The JSR Conference Programme is included in Appendix 2.

The JSR will review:

- Sector performance for 2009 and targets for 2010 guided by the sector performance measurement framework.
- The status of water and sanitation sub-sector undertakings, focussing on key experiences and constraints encountered while addressing the undertakings.
- Sector investment plans with a view to budgetary guidance to next MTEF.
- Sector and sub-sector issues emerging from the Sector Performance Report.
- Progress of the JAF targets/indicators and prior actions with a view to provide an assessment to the JBSF partners on the progress made.
- Assess the key experiences and challenges encountered by the ENR sub-sector and propose strategic recommendation to address these.

The undertakings, conclusions and recommendations of the JSR shall be compiled in draft Agreed Minutes, including a summary of status of implementation of the 2008 Sector Performance Matrix. The draft Agreed Minutes will be presented to the plenary for discussion and agreement and approval by the WESWG.

Any plenary comments or recommendations relating to the Sector Working Group's decisions should be included in the text of the Agreed Minutes. A formal WESWG meeting will take place at the end of the JSR to approve the undertakings.

Administrative and logistical matters will be organised by MWE/in cooperation with Denmark (lead Donor for the water supply and sanitation sub-sector and WorldBank (Lead Donor for ENR).

OUTPUT

The outputs of the 2009 JSR will comprise of Joint Sector Review Agreed Minutes approved by the WESWG containing an assessment of sector performance and consequent conclusions and recommendations for further action and also including binding sector undertakings. The Minutes should also provide an assessment of progress of the JAF targets/indicators and prior actions for the use and information of the Joint Budget Support Framework (JBSF) partners. (JAF Water and Sanitation Results Matrix is included as Appendix 3) The Agreed Minutes will be finalised and signed by the authorized representative of the GOU and the Lead Development Partners (W&S and ENR) on behalf of the sector development partners. Furthermore, a record of the all presentations made in the Joint Sector Review shall be produced. A popular version of the SPR will be published in the local newspaper(s) prior to the JSR.

DOCUMENTATION

The various documents/papers forming the basic documentation of the 2009 JSR include:

- The main report, which is the Sector Performance Report 2008/9.
- Field monitoring report

Additional reports on:

- Summary status reports on the undertakings from last year. The progress reports shall comprise progress, issues and constraints, and a proposed way forward to be discussed in focus groups during the review. They may also include proposals on emerging issues.
- Draft report on Environmental Sanitation in Uganda; addressing institutional and financing challenges.

Note: Additional background information and sector documents can be found on the Ministry Website as well as links to the other institutions and authorities under the Ministry at www.mwe.go.ug

Papers on;

- i. National strategy for adaptation to climate change from the water resources perspective, guided by IWRM principles. (DWRM)
- ii. Uganda's preparedness towards the COP15 (CCU)
- iii. Thematic presentation of environmental challenges (NEMA)
- iv. Action Plan on Good Governance for the Water and Sanitation Sub-Sector (DWD)

All papers and reports are to be submitted to the secretariat committee of the JSR three weeks before the JSR meeting. A focused review of progress in relation to the 2008 JSR undertakings is to be provided. Quantitative data will be provided in attachments. The papers will focus on strategic areas and give prominence to analyses of opportunities and constraints.

The six undertakings adopted at the JSR 2008 are listed below:

1. Finance:

A final consolidated SIP clearly linked to VOTE functions and articulating targets to be achieved with clear implications on the sector financing shortfalls.

2. Urban Water and Sanitation Sub Sector

Finalise a framework for regulation for improved service delivery in the urban sub-sector especially transparency and contract compliance and framework for monitoring that guides the implementation of the pro-poor strategy in urban areas based on an identification of lessons and constraints.

3. Water Stressed Areas

A feasible and cost effective plan for rehabilitation and maintenance of dams and valley tanks is prepared, approved and integrated into the budget lines ready for detailed design and implementation during 2009/10, in at least 50% of water stressed districts.

4. Water Resources Management

A framework for catchment-based WRM is finalised, with cost estimates prepared and relevant stakeholder agreements signed ready for full scale implementation in at least 2 of the 4 management zones.

5. Functionality of Rural Water Sources

A revitalized Community Based Maintenance System (CBMS) leading to an improved functionality rate of water points in 50% of the districts by at least 3 percentage points by improving the management at community level and at the district level.

6. Sanitation

Appropriate sanitation related ordinances and bye-laws are developed and enforced leading to an up scaling and replication of successful enforcement of sanitation with incentives provided to best performers in 60 districts leading to a 3% increase in coverage in each of these districts.