



Tearfund WASH service delivery in the Democratic Republic of Congo:

contributions to peace-building and state-building

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Abbreviations

| | |
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| AfDB | African Development Bank |
| BCZ | Bureau Central de Zone de Santé |
| BTC | Belgian Technical Cooperation |
| CCMP | Church and Community Mobilisation Process |
| CHASE | Fragile States and Conflict Group (DFID) |
| CLTS | Community-Led Total Sanitation |
| CNAEA | Comité National d'Action de l'Eau et de l'Assainissement |
| CPAEA | Comité Provincial d'Action de l'Eau et de l'Assainissement |
| CNDP | National Congress for the Defence of the People |
| DFID | Department for International Development |
| DPS | Division Provinciale de la Santé |
| DRC | Democratic Republic of Congo |
| ECC | Episcopal Church of Congo |
| FARDC | DRC military forces: Forces Armées de la République Démocratique du Congo |
| FCAS | Fragile and Conflict Affected States |
| FDLR | Democratic Forces for the Liberation of Rwanda |
| GFS | Gravity-fed system |
| GIZ | German International Cooperation |
| GPAF | Global Poverty Action Fund |
| IDPs | Internally displaced persons |
| IRC | International Red Cross |
| KfW | German Development Bank |
| MONUSCO | United Nations Stabilisation Mission in DRC |
| NGO | Non-government organisation |
| NSP | Non-state provider |
| PB | Peace-building |
| PEAR Plus | Programme of Expanded Assistance to Returnees |
| PPSSP | Programme de Promotion des Soins de Santé Primaires |
| SB | State-building |
| SFCG | Search for Common Ground |
| SNHR | Service National de l'Hydraulique Rurale |
| UNICEF | United Nations Children's Fund |
| WASH | Water supply, sanitation and hygiene |

Executive summary

This country report is part of a one-year DFID-funded research project implemented by Tearfund and ODI. The research project is exploring the links between service delivery of water supply and sanitation and the wider processes of state-building and peace-building in fragile and conflict-affected states. The project goal is to assist Tearfund to 'support effective water supply, sanitation and hygiene (WASH) service delivery in ways that maximise their contribution towards peace- and state-building'. A second country case study for this project was conducted in South Sudan.

The research project has focused on Tearfund's WASH interventions implemented through the 'Capacity Building to Improve Humanitarian Action in the Water Sanitation and Hygiene' programme, funded by DFID CHASE. The objective of the programme was to increase the capacity of Tearfund disaster management team operations, local partner projects and local government departments in conflict-affected and humanitarian contexts, to support improved access to potable water, sanitation and public health education (PHE), resulting in sustainable improved health, well-being and dignity for grassroots communities. The contribution of WASH service delivery to peace-building or state-building was not a specific objective of the programme, and there has been no initial baseline or ongoing monitoring or evaluation of the impacts of WASH service delivery on these goals. However, as the programme was being implemented, Tearfund project staff and partners identified some examples of effects (Murray and Keiru, 2011). This research project provides an opportunity to look further into these examples, to understand the relationships between Tearfund's WASH programming and peace-building and state-building processes, and to identify opportunities for future WASH programmes to contribute to peace-building and state-building.

For the Tearfund project sites in DRC, researchers identified how the WASH service delivery modality (what, who, how) in each project site manifested itself across a number of potential routes for influence on peace-building and state-building. They found that impact – positive and negative – is conditioned by the country context: the causes of conflict and armed violence, and the nature of the state in DRC, shape the limitations and opportunities for Tearfund to impact peace-building and state-building. In DRC, there is not a strong, intuitive link between the WASH sector and peace-building and state-building: water is not a driver of conflict, and the government is only marginally involved in providing water and sanitation services.

Our analysis of the country context highlights the fundamental challenges of state-building in DRC, where the state being supported is largely predatory towards its own citizens, lacks political will for reform and is severely lacking in capacity. General assessments of international efforts at state-building and peace-building in DRC are that they have fallen far short, owing to both the enormity of the challenges and international actors' limited understanding of precisely what they were dealing with. A pessimistic interpretation might suggest that the challenges of corruption and political predation limit the positive peace-building and state-building impacts of the more small-scale efforts and contributions from NGOs such as Tearfund. A more optimistic view is that, even amid such challenges, there are opportunities. Ambitions to contribute to state-building and peace-building therefore need to be grounded in the realities of DRC and the enormous challenges that have faced such processes in DRC thus far.

Two field sites were visited for this research and they show two contrasting approaches in two distinct areas. In North Kivu, an area characterised by ongoing conflict, Tearfund has implemented a large WASH service delivery project. In contrast, in Maniema province (which is relatively stable, post-conflict), Tearfund is working alongside the government to implement (with UNICEF support) a national government-owned WASH programme (*Village Assaini*). A number of strengths were identified for these programmes. In the Tongo project site (Rutshuru district, North Kivu), where Tearfund is constructing gravity-fed piped water supply systems and focusing on spring/well protection, household and school latrines, and hygiene training, addressing an area of clear need. The team is implementing a significant infrastructure project,

giving direct access to high numbers of beneficiaries. Tearfund is making appropriate linkages with government bodies and not bypassing state institutions, and the gravity-fed system (GFS) technology is facilitating the process of collective action between villages, which addresses a significant gap for WASH. The project team is working with the influential local actors (local leaders) and the local staff seem to have strong local knowledge and networks. The project has also created the opportunity for a positive experience of the state by local residents, which provides an entry point, albeit limited, for improving state/society relations. The project has included the military as a stakeholder group to address local tensions between civilians and military related to access to water points.

However, limitations of contributing to state-building and peace-building through WASH programming were also apparent. The project has only been able to increase the capacity of the individuals within the state, not the institutions themselves. The benefits of the project are attributed to Tearfund alone, rather than to the government. The interventions might have the potential to address intra- and inter-community tensions related to water access, but the local, national and regional conflict dynamics associated with armed violence in eastern DRC are beyond the scope of the interventions themselves.

There were signs of unexploited potential for having positive impacts on state-building and for incorporating conflict analysis in programming:

- The accountability of government actors collaborating in the project was towards Tearfund, not local citizens. Moving towards a **performance-based payment system**, where Tearfund pays government partners for key deliverables related to development in the community, rather than monthly or annual instalments, would be a first step towards reorienting this relationship. UNICEF is currently experimenting with this in *Village Assaini* and lessons can be learnt from its approach.
- The project has the potential to introduce new tensions to the community if GFS breaks down and there is a lack of collective action to mobilise repairs. Spending more time on **strengthening local institutions** which would be able to mobilise this collective action (school committees, faith-based organisations for example), and increasing communication to all village residents on the role and responsibilities of the WASH committee might decrease the potential for future conflicts related to the GFS.
- The existence of local tensions, and operating in a zone where there is violent conflict, emphasises the **importance of a conflict-sensitive approach** to any intervention, as local conflict dynamics do affect projects and vice versa. A local conflict analysis, done by a trained member of the Tearfund DRC team or external agencies such as Search for Common Ground (SFCG), would usefully **identify ways in which the project affects local conflict – both positive and negative**.

Tearfund also has a project site in Maniema, where there is very low coverage of water and sanitation, and Tearfund's intervention in this province addresses areas of clear need. In the Maniema project site, Tearfund is implementing the WASH service delivery activities within the framework of the DRC government-owned national WASH development programme (*Village Assaini*). With government agencies being supported, and incentivised, by UNICEF through this programme, there is a greater opportunity for collaboration and for increasing the visibility of the state in the project.

Citizens expect little from the state, or from NGOs, but community members still overwhelmingly prefer that NGOs intervene and do not expect or prefer that the state do so instead. Therefore, as Tearfund provides financial resources to these government services that will enable them to perform their basic functions through the life of the project, this creates the possibility of the state being viewed more positively. Working to maximise the visibility of government agencies in the project, especially in those project activities that structure local relations of accountability and performance, might therefore maximise positive state-building impacts. However, such visibility is only one element of people's life-long experience of the state, and it is weighed against short-comings in the provision of roads, basic services and even security.

With the passing of time since the conflict in Maniema, there is evidence of existing collective action and social cohesion, but no obvious entry points for peace-building. However, the intervention itself might create local tensions related to the role of water committees or other potential conflicts. Tearfund's intervention areas in Maniema are stable, but none-the-less understanding local power dynamics and adopting a conflict-sensitive approach will be important in ensuring the project does not create tensions within and among communities in the areas where it will be supporting access to clean water and improved sanitation. Tearfund can learn from UNICEF's experience in adopting a conflict-sensitive and peace-building approach to its PEAR Plus (Programme of Expanded Assistance to Returnees) intervention.

This points to a number of important findings and reflections for where and how peace-building and state-building processes can be supported as part of WASH programmes in the DRC context:

- **One project is not likely to be able to (or should not) impact peace-building or state-building across all five routes.** The appropriate route for impact will be determined by forms of context and conflict analysis, indicating for example where it is beneficial to increase state visibility (or the reasons why not), or how legitimacy, collaboration, inclusion or opportunity might be addressed within the intervention modality.
- **Legitimacy and authority of government needs to exist prior to addressing issues of accountability.** Engaging with state actors in WASH service delivery projects in ways that increase their legitimacy in local development efforts, as through *Village Assaini*, for example, provides government agencies with the opportunity to show positive examples of action for local residents.
- Tearfund should ensure that the **standard of conflict sensitivity is applied** for all operational programmes, considering local conflict/power dynamics and the impact of the project intervention on these, and vice versa.
- Tearfund should also aim to apply the **Do No Harm framework** – to identify possible 'bridges' and 'connectors' between WASH service delivery and conflict dynamics that might support peace-building where possible.
- Tearfund and its partners can **learn from PPSSP** and the approach it uses in Tearfund WASH projects; ensure coordination and regular meetings with local partners focus not only on technical issues but also on social/political/conflict dimensions. They can also learn from **PEAR Plus programme experiences**: include conflict analysis and a stronger peace-building component in the programme design for WASH service delivery interventions.
- They should aim to include principles of **reinforcing community structures** (e.g. related to health, education, WASH) within project design and activities. Communities are key to the ongoing sustainability of interventions, given the current lack of capacity and incentive of the state in DRC. Strong local structures have the potential to increase social cohesion and local resilience to the negative impact of conflict dynamics on delivery of local services. Learning from the Church and Community Mobilisation Process (CCMP) model is relevant here.
- Tearfund should continue the current approach of **engaging with relevant state actors and not bypassing state institutions**, including implementing *Village Assaini*, as it works through state actors and has the highest potential for sustainability with longer-term support through UNICEF, and works with the state sector considered to have the highest level of presence.
- But in general, there is limited room for individual aid agencies to address the vast capacity gaps in the absence of political will and administrative reform. **Supporting local institutions with credibility to conduct advocacy** (as Tearfund did during the drafting of the new Water Law) and initiatives that **support administrative reform of the sector** will then allow development partners to invest in the longer-term capacity of government partners in the sector.

1 Introduction

1.1 DFID WASH capacity building project

This country report is part of a one-year DFID-funded research project implemented by Tearfund and ODI. The research project is exploring the links between service delivery of water supply and sanitation and the wider processes of state-building and peace-building in fragile and conflict-affected states (FCAS).

The research project is focused on Tearfund water supply, sanitation and hygiene (WASH) interventions implemented through the 'Capacity Building to Improve Humanitarian Action in the Water Sanitation and Hygiene' programme, funded by DFID CHASE. The objective of the programme was to increase the capacity of Tearfund operational teams, local partner projects and local government departments in conflict-affected and humanitarian contexts, to support improved access to potable water, sanitation and public health education (PHE), resulting in sustainable improved health, well-being and dignity for grassroots communities.

The contribution of WASH service delivery to peace-building or state-building was not a specific objective of the programme, and so was not included in the logical framework. As such, there has been no initial baseline or ongoing monitoring or evaluation of the impacts of WASH service delivery on these goals. However, as the programme was being implemented, Tearfund project staff and partners began to gather *ad hoc* evidence of increased community cohesion, increased capacity for local conflict resolution, and improved capacity of local government (Murray and Keiru, 2011). This research project provides an opportunity to conduct an analysis of the impact of the programme on peace-building (PB) and state-building (SB), and to identify entry points to support PB and SB through WASH service delivery programming.

Box 1: Defining peace-building and state-building

Peace-building: Peace-building refers to 'those actions undertaken by international or national actors to institutionalise peace, understood as the absence of armed conflict... and a modicum of participatory politics... that can be sustained in the absence of an international peace operation' (Call and Cousins, 2007; cited in Menocal, 2009). Over time, the concept has become much more expansive, and there is increasing awareness of the importance of state institutions, while still emphasizing the centrality of non-state actors and bottom-up processes in building peace (Menocal, 2009).

State-building: 'State-building' is a commonly used term that encompasses deliberate actions by national and international actors to establish, reform and strengthen state institutions and build state capacity and legitimacy (Menocal, 2009). State-building is not only about the state in isolation – the quality and nature of the relationship linking state and society are also crucial (Menocal, 2009). As an objective, state-building is often discussed in relation to how the international community can support fragile states and those emerging from conflict, whereby increasing the legitimacy and authority of the government is essential for maintaining peace.

Globally, while there has been an emergent focus of international development donors on fragile states (World Bank, 2011), the role of basic services in terms of delivering 'peace dividends' or contributing to 'state legitimacy' is under discussion, and in some cases this concept has been found to be based on ungrounded assumptions (Bennet *et al*, 2010). This evidence gap is now being addressed by various research projects,¹ to better understand which processes, within which contexts, allow which basic services (health, education, WASH) to contribute to PB and SB. This research project aims to contribute to these efforts, grounding statements made on PB and SB in concrete examples and observations of Tearfund projects,

¹ DFID is funding a five-year research programme consortium on 'secure livelihoods', as well as CfBT-led consortium looking specifically at basic services and state legitimacy.

while remaining focused on operational implications and feasible guidelines for Tearfund and other WASH agencies on ways to increase positive impacts.

The first output of this research project was a literature review on the current evidence base of WASH service delivery and PB and SB (Mason *et al*, January 2012), followed by the development of a conceptual framework and research methodology (Mason *et al*, February 2012).

South Sudan and DRC were selected by Tearfund and ODI as case study countries for this project. These countries were chosen according to the following criteria: current status of the programme (ongoing or closed), interest in participating shown by Tearfund country office and their ability to host ODI researchers, ability to access the project field sites given the existing security situations and the duration of field research (two weeks in each country), type of WASH intervention implemented by Tearfund (including both WASH interventions and different hardware/software approaches), and the geographical expertise of ODI and existing ODI partnerships.

1.2 Research approach

The goal of the research project is to help Tearfund 'support effective water supply, sanitation and hygiene (WASH) service delivery in ways that maximise their contribution towards peace- and state-building' (PBSB).

The project responds directly to DFID's call to the international community to 'place PB and SB at the centre of all interventions in FCAS'. DFID's practice paper, *Building peaceful states and societies*, called for a step change in the approach of the international community to FCAS to improve peace, stability and long-term development. However, the lack of evidence and limited understanding to date on how WASH service delivery can contribute to PBSB has so far prevented the development of any practical guidance to implementing agencies.

The overall purpose of the research is to improve understanding and practice of donors and practitioners by:

1. Developing the evidence-base on the PBSB role of WASH service delivery in FCAS
2. Developing guidance on what effective WASH service delivery programmes might look like when measured against criteria of both increasing access to services and supporting PBSB agendas
3. Developing diagnostics which can be used in the design of WASH programming of development and relief agencies, to identify entry points to support PB and SB and to define the appropriate/possible degree of PB and SB.

The specific research questions are:

1. To what extent and in what ways can the processes of improving access to WASH make an explicit contribution to peace- and state-building in FCAS?
2. Given the impact WASH service delivery can have on peace- and state-building, what does effectiveness look like in FCAS and how can it be measured, both qualitatively and quantitatively?
3. What diagnostic tools or indicators might guide future WASH service delivery programmes in FCAS, to help maximise the extent to which they can contribute to peace- and state-building?

The above research questions for the project contain a number of key assumptions:

1. The research questions assume that WASH service delivery has an impact on PB and SB. This research project will therefore seek to identify and isolate potential routes through which WASH service delivery can impact on PBSB, so assumptions about causal

links can be better isolated and examined. In Section 1.3, we outline the five potential impact routes.

2. The research questions imply that PB and SB are mutually reinforcing. While this may often be the case, there are tensions between the peace-building and state-building endeavours to be explored, as appropriate, in the course of research (Box 2).

Box 2: Peace-building and state-building: aiming for complementarity

The increasing volume of research and thinking around peace-building and state-building has given rise to a search to integrate the two around the common aims of strengthening relations between state and society, and promoting representative and inclusive social and political systems. Haider (2010a, p.5), sees the primary aim of state-building as being 'to transform states and make them more responsive' and of peace-building 'to transform societal relationships'. But Haider also concedes that in practice they are often interlinked in complex environments where both endeavours can impact on peace, stability and state-society relations.

The title of DFID's 2010 practice paper, *Building peaceful states and societies*, reflects this desire to integrate peace-building and state-building in a mutually reinforcing manner.

However, the practice paper also reflects on the tensions between peace-building and state-building, including the desire to secure a 'peace dividend' by providing basic services in the immediate aftermath of conflict. Where government capacity is very low, there may be a temptation to bypass government systems and deliver services via non-governmental organisations (NGOs), but this potentially undermines the wider (state-building) goal of developing the government's capacity to discharge these functions and so increase its legitimacy. The tension here has been explored in the WASH sector by the World Bank Water and Sanitation Program (WSP) which describes it as a 'capacity conundrum', which has important implications for service delivery.

On the other hand, this interpretation arguably implies an assumption that state and government are synonymous. A broader conceptualisation of the state may place equal emphasis on civil society and private sector (and possibly other 'constituencies') alongside government – meaning that service delivery routed through these former channels would not by default undermine the state, as broadly conceived.

Furthermore, the desire to create a stable peace, i.e. to go beyond peace-keeping, means that in theory the ultimate ends of PB and SB are frequently aligned, for example around establishing the rule of law, conflict management systems, and democratic forms and processes – even if trade-offs exist between PB and SB as to the means to achieve these ends. 'It would seem sensible, therefore, to align peace-building actions with longer-term planning for support to state-building, to provide the foundations for state-building and help bridge short and longer-term issues' (Eldon and Gunby, 2009, p.8).

This project follows the approach of the project terms of reference, by using 'PBSB' as a form of shorthand which implies that peace-building and state-building should, wherever possible, be mutually reinforcing. The potential for peace- and state-building goals to come into tension is nonetheless acknowledged and explored, as a structural issue, in the research approach.

Sources: Haider (2010a), DFID (2010), Menocal (2009), Eldon and Gunby (2009) and WSP (2011a and 2011b)

We also highlight the lack of differentiation between water supply, sanitation and hygiene services within the research questions, despite significant variations in the potential for impact on PBSB between the three different, yet related, services (or sub-sectors). The research project explores the nature of the service being delivered for specific impact on PBSB. It examines the hypothesis that, given different conditional factors and country contexts, one service may have greater potential for positive impact on PBSB than another. So, for example, a low demand for sanitation results in citizens not being dissatisfied with the absence of, or the poor quality of, state services for sanitation.

1.3 Methodology

The conceptual framework and detailed research methodology for the research project can be found in Mason *et al*, 2012. Below, we outline the stages of research, and how links to PB and SB were analysed, for the Tearfund programme in DRC.

Stage 1 – Political economy analysis was conducted to understand the key institutions, actors and incentives towards peace-building/state-building, as well as drivers of conflict for DRC. This included a specific focus on the WASH sector to identify existing levels of collaboration, accountability, legitimacy and capacity of the state, inclusion and opportunity. This analysis helps to identify the existing openings for PB and SB, as well as limitations or ‘reality checks’ with regard to the degree to which Tearfund would be able to contribute to PB or SB through its programme (e.g. the existing capacity of the state, motivations of key actors, drivers of conflict).

Stage 2 – WASH service delivery modality: The what, who and how of WASH service delivery in Tearfund project sites were identified through secondary literature (project proposals, annual reports, mid-term evaluation), and then verified by ODI researchers in the field. For the purposes of this research, it was important to identify different components of the modality of service delivery – the what, who, and how – which are subsumed within ‘WASH’. Our hypothesis was that each aspect of the modality – what, who, how – would have different impacts on PB and SB.

- Which service was delivered – water supply for household use, water for livelihoods, hygiene promotion, sanitation services?
- Who delivered it – Tearfund operational staff, through local partners, through government agencies, by the private sector, with religious groups or other non-state providers (NSPs)?
- How was it delivered – through participatory community-driven processes, demand-led, emergency relief, within a long-term development programme or within a shorter-term humanitarian response?

Stage 3 - Routes for potential impact on PB and SB: The potential relationship between WASH service delivery and PB and SB were unpacked into five ‘routes for influence’, for WASH services to contribute to PBSB. More detailed sub-questions under each angle of inquiry for various stakeholder groups are included in Annex 3.

- **Opportunity**, which concerns the ability for citizens to participate in the economic, social and political activities of ‘normal’ life. *To what degree does access to WASH services, or the modality of WASH service delivery, allow citizens this opportunity (e.g. water for livelihoods, private sector participation)?*
- **Visibility**, which relates to the presence of the institutions (including the state) and infrastructure associated with stable societies. *To what degree is the state visible through the modality of service delivery? To what degree are non-state actors (eg NGOs, religious institutions) visible?*
- **Collaboration**, which entails processes for joint-working between state and society, or within society, which can reinforce cohesion. *To what degree does the modality of service delivery entail collaboration between state/society?*
- **Inclusion**, which relates to the involvement of all in political, social and economic life and the levelling of inequalities which lead to grievance.
- **Accountability**, which concerns responsiveness to citizens’ needs and implies a two-way dialogue rather than a top-down process.

ODI researchers were in North Kivu and Maniema provinces in DRC from June 2 to 16, 2012, and visited two of the four project areas currently being supported by the DFID WASH programme in DRC (see Table 1). Semi-structured interviews and focus group discussions

were held with stakeholders in country to identify how WASH service delivery (elements of what, who, how) manifests itself across the five routes detailed above, and the subsequent impact of the programme on state-building and peace-building. The researchers conducted semi-structured interviews with Tearfund DRC staff, Tearfund DRC partners (Programme de Promotion des Soins de Santé Primaires – PPSSP; Episcopal Church of Congo – ECC), provincial and local government actors relevant to WASH and other WASH and PB and SB agencies. Interviews and focus group discussions were conducted with WASH committees in the project villages, traditional authorities and villagers. Interviews and focus group discussions were conducted in the project communities together with Tearfund staff; interviews with other WASH sectors actors and provincial or national government officials were conducted independently by ODI.

North Kivu and Maniema provinces were selected in consultation with Tearfund as project locations to use as case studies. Both are in eastern DRC. Tearfund has a large project in North Kivu, a province which is regularly affected by conflict, including a recent outbreak of violence related to the mutiny led by Bosco Ntaganda. Maniema is a more stable, post-conflict context. These two sites were selected to provide a comparison across the what, who and how of WASH service delivery in order to enable an analysis of SB and PB entry points, or limitations, contained within the array of approaches used in Tearfund. WASH projects implemented by Tearfund partner PPSSP in Mweso, North Kivu, were originally planned for a site visit, but at the time of the research they were not accessible due to security issues. A meeting with PPSSP was held in Goma to discuss its approach to WASH in conflict areas and evidence of PB and SB. The PPSSP project is subsequently presented in this report, although meetings with village residents and local government agencies involved in PPSSP projects were not possible.

We highlight that ODI research did not include in its analysis of SB and PB an additional advocacy dimension of the DFID capacity building project in DRC. In DRC, Tearfund and local partner ECC have done work to influence the draft Water Code in 2010, and have held public events to facilitate feedback on the draft. While these project activities are undoubtedly related to state-building, our focus on the potential for PB or SB through the process (modality) of service delivery restricted our focus to the project interventions in North Kivu and Maniema.

Table 1: Tearfund project sites selected for research, June 2012

| | Project location | WHAT service was delivered? | WHO delivered the services? | HOW was the service delivered? |
|---|--|---|--|--|
| 1 | Maniema province: Kailo and Pang'i territories 9 villages May 2012–May 2013 Funded by DFID GPAF | Rural water supply: protected springs Water supply hardware to be fully subsidised Household latrines: Community Led Total Sanitation (CLTS) approach with zero subsidy for sanitation hardware Hygiene promotion to be done with government health agency (BCZ) | Tearfund operations Provincial health department Rural water supply agency (SNHR) Operation & maintenance: village WASH committee | <i>Village Assaini</i> : Partnership with government agencies (health, rural water department) under the national programme for rural water supply and sanitation (<i>Village Assaini</i>) Water user fees to be collected by village-level WASH committees No conflict analysis conducted |
| 2 | North Kivu province: Rutshuru territory, Rushege and Rushovo villages ('Tongo') 20,000 residents March 2011–June 2012 Funded by EU/DFID | Rural water supply: gravity-fed system, fully subsidised Household latrines: CLTS approach with zero subsidy for sanitation hardware | Tearfund operations Coordinated with relevant government agencies, but minimal involvement/presence to date Operation & | Private sector contractor for GFS No conflict analysis conducted Intended to be under <i>Village Assaini</i> , but post-project |

| | | | | |
|---|--|---|---|---|
| | | School latrines: fully subsidised Hygiene promotion: Tearfund | maintenance: village WASH committee | integration into government programme Water user fees |
| 3 | North Kivu province: Rutshuru territory, Mweso (Kashuga) 2011–2012 EU/DFID funding | Rural water supply: gravity-fed system, fully subsidised Household latrines: PHAST approach with zero subsidy School latrines: fully subsidised | Tearfund local partner – PPSSP Hygiene promotion conducted with government health department (BCZ) Limited involvement of SNHR Operation & maintenance: village WASH committee | Use a conflict-sensitive approach, conduct conflict mapping Post-project initiation was redesigned as a <i>Village Assaini</i> programme |

2 Democratic Republic of Congo

2.1 Country context²

The Democratic Republic of Congo (DRC)³ is commonly described as a post-conflict context. However, the reality of the DRC is more complex than simply a transition 'out' of war. The two wars that occurred between 1996 and 2003 devastated a country that had already been run into the ground by decades of Mobutu Sese Seko's rule. Presidential elections held peacefully in 2006 were won by Joseph Kabila, marking the official end of the post-war transition that began in 2003. Subsequent presidential elections took place in November 2011 amid concerns about irregularities and abuses by security forces. Joseph Kabila was declared the winner – a result contested by the main opposition candidate. The positive developments in recent years are juxtaposed with ongoing conflict in eastern DRC, rampant corruption, human rights violations and a security sector that remains in desperate need of reform. In the east, a diverse range of armed actors, as well as the undisciplined Congolese army, continue to wreak havoc, and 1.7 million people remained displaced at the end of 2011. A mutiny in May 2012 led by Bosco Ntaganda, a FARDC commander⁴ wanted by the International Criminal Court, highlights the unpredictability of security dynamics and the fluidity of alliances in eastern DRC. The implications of this mutiny on continuing conflict events and humanitarian needs are discussed in Chapter 3. Reflecting the decade of insecurity in DRC, the 2012 *Global Humanitarian Assistance Report* lists DRC in the top 20 humanitarian aid recipients in 2001–2010, receiving US\$ 3.7 billion (Development Initiatives, 2012).

Labels such as 'post-conflict' and 'fragile state' therefore do little justice to the complexities of DRC, which combines several overlapping contexts at once. One major obstacle to development is often the government itself which is corrupt, clientelistic and repressive. In the east, there is a protracted humanitarian crisis with widespread displacement and numerous armed actors, and even burgeoning conflicts in areas of the country that were thought to have become more stable. In many stable areas, basic indicators such as mortality and malnutrition are worse than in unstable areas, owing to chronic vulnerability. All of this is framed within the world's largest peace-keeping operation – the United Nations Stabilisation Mission in DRC (MONUSCO) – whose primary aim is now to support government stabilisation efforts. This makes for a complex environment for aid agencies and donors seeking to promote development, peace-building, state-building and address humanitarian needs – objectives that are not always perfectly compatible with one another.

² Adapted from Bailey, 2011.

³ Throughout this report, all mentions to 'the Congolese state' and 'the Congolese' refer to DRC.

⁴ FARDC refers to DRC military forces, Forces Armées de la République Démocratique du Congo.

2.2 Conflict drivers

The DRC suffered two devastating wars (one in 1996–1997 and another in 1998–2003) that resulted in the deaths of more than 5 million people (mainly due to disease and malnutrition) (IRC, 2008). Armed violence continues, involving numerous armed groups with varying agendas in the east of the country. One of the challenges of understanding the DRC context is that the drivers of conflict span local, national and regional levels, and there are many different interpretations about the relative importance of different drivers of violence and how they interact. The main factors are: ethnic identity, national identity (i.e. who is Congolese), land tenure, mineral resources, foreign armed groups (e.g. the Lord's Resistance Army, Democratic Forces for the Liberation of Rwanda – FDLR) and regional political/security interests and actions (namely those of Rwanda). The importance of different drivers varies in different areas.

One of the challenges of understanding the DRC context is that there are many different interpretations of the regional, national and local drivers of violence and their relative importance. In the box below, Gambino (2011) proposes a conceptual framework for understanding different levels of violence in DRC. Understanding these dynamics in any one area of DRC is a daunting task (one that even 'experts' can get wrong) (*Ibid*).

Box 3: Conceptual framework - six levels of violence (from Gambino, 2011)

International: The Cold War set the parameters for East-West competition over states, including the DRC, until about 1990. During the Cold War, the West, as patron of the Congo, intervened at various times, including twice during the late-1970s, to shore up the faltering Mobutu regime. However, with the end of the Cold War, the West has taken a new stance, and is unwilling to use violence (military intervention) beyond humanitarian or basic stabilisation forms. Today, international actors outside of Africa appear willing only to intervene militarily in the DR Congo in the context of UN-sanctioned peace-keeping missions, such as that of MONUC, or short-term, sharply defined missions in support of international peace-keeping activities, as was the case with the French-led European intervention in Ituri in 2003.

Continental: As the Congolese state faded in the 1990s and the Cold War ended, regional competition over the Congolese state and its riches intensified. In particular, Rwanda's attempt to overthrow Laurent Kabila's government in 1998 prompted another of Congo's neighbours, Angola, to intervene swiftly and decisively against Rwanda. This led to a protracted war that involved African armies, ranging from Congo's neighbours, Angola, Rwanda, Burundi and Uganda, to Namibia, Zimbabwe, Chad and Libya. Although South Africa did not intervene militarily, it played a strong diplomatic role.

Regional: Conflicts in DRC's neighbours have included: continued low-intensity conflict in Angola's enclave of Cabinda, located north of DRC's short arm of territory which reaches the Atlantic Ocean; insecurity and instability in the Central African Republic and southern Sudan; spillover from the Lord's Resistance Army's rebellion in northern Uganda; and continuing effects of the Hutu-Tutsi conflicts in Rwanda and Burundi. These all play a part in fostering violence inside DRC. These conflicts intersect with violent competition over DRC's massive lode of easily obtained natural resources, which range from copper and cobalt to gold, tin, diamonds and many other valuable commodities. Conflict over DRC's easily obtained resources, particularly in the provinces of North and South Kivu and the district of Ituri, have led to the continuing involvement of trafficking networks emanating from Uganda, Rwanda and Burundi.

National: Although the great majority of the population of DRC continue to see themselves as Congolese, this national identity is situated within other identities, particularly that of ethnic group. Congolese tend to strongly identify themselves as members of an ethnic (and, often, sub-ethnic) group, and many of those groups have come into conflict not just since independence, but during the centuries preceding Western dominance and colonial rule. Such issues are present in every province of DRC, and were at the core of the various rebellions that broke out across the country in the early 1960s. Ethnicity remains highly important for most of the various militia movements, often organised along ethnic lines, which continue to fight in eastern Congo. These ethnic links then intersect and overlap with economic interests relating to resources... The trafficking networks based in Uganda and Rwanda, usually heavily military themselves, intertwine with informal, powerful Congolese structures, reaching back to various shadowy, powerful figures, often military,

based in Kinshasa. These trafficking networks then link in a crazy quilt to international networks of trade in DRC's resources.

Provincial: Competition over provincial power is another cause of conflict in DRC. Particularly in eastern Congo today, various groups see themselves as rightfully dominant in certain provinces. For example, competition between the Banande, an ethnicity centered in the northern part of North Kivu and Tutsis (and, often, Hutus, sometimes allied in a complex way with Tutsis), centered in the southern part of North Kivu, both consider themselves as the rightful economic powerhouse of the region. This conflict over political and economic power has spilled over into violence in the last decade.

Local: Competition over land and other resources lies at the base of this vast pyramid of interconnected interests. Long-standing, unresolved disputes over who owns what in the enormously rich Congo continue to spur violent conflict. For example, deep tensions among the Hunde, Hutu, and Tutsi groups (and others) in the Masisi territory of North Kivu led to large-scale outbreaks of violence in the early 1990s, unrelated to and prior to the Rwandan genocide. The Congolese state actively contributed to this explosive mix by its actions over decades which confused land tenure issues. The state remains unable to assert effective control over most of these areas.

Source: Gambino, T (2011) 'Background case study: Democratic Republic of the Congo'. *World Development Report 2011*.

Concerns have been raised that international actors have ignored the importance of local conflict drivers (e.g. local conflicts over land, power, status and resources such as cattle, charcoal, timber, drugs and checkpoints), that the conflict in DRC is often dangerously oversimplified, and that conflict minerals, sexual violence and state-building have come to dominate how the causes, effects and solutions to violence in DRC are perceived (Autesserre, 2011; 2012). In other words, there is a critique that policy-makers and others who support courses of action by international actors in DRC have failed to understand it and have neglected to take into account the importance of local drivers. A counter-claim has been raised that the focus on local conflict also ends up being overly reductive, failing to consider the different dynamics of the varied armed actors in eastern DRC and how key players are strongly connected to political and business elites in the DRC and Rwanda.⁵ Either way, instability persists and will continue, owing to: the absence of a functioning government with a monopoly over the violence; the fragility of state power (eg attempts by Kabila to hold onto power and by others to gain it); tensions over land, citizenship and the control of territory/natural resources; and Rwanda's continued involvement in eastern DRC (Paddon and Lacaille, 2011).

2.3 State-building and DRC

When considering what state-building means in the context of DRC, an important question to ask is: what is the nature of the state that is being 'built', including the relationship of the state with its citizens?

Descriptions of the DRC in policy documents, reports and journal articles are bleak (eg 'archetypal failed state', 'most failed state'). Trefon summarises state crisis in the DRC as characterised by 'loss of legitimacy, abdication from the development agenda, incapacity to maintain security (or assure the monopoly of coercion), shortcomings in the management of political and technical priorities and the inability to mobilise, generate or manage internal and external financial resources' (2010:12). The DRC is a text-book example of 'clientalism' and predation. State officials use their positions for personal gain, including exacting fees and favours from those who need their services. The state is guilty of human rights abuses against its citizens, such as the violent crackdowns by security forces following the 2011 elections, suspected assassinations of activists and gross human rights abuses by the military in eastern DRC.

⁵ <http://congosiasa.blogspot.co.uk/2012/06/so-how-do-we-help-eastern-congo.html>

The DRC government is not held in high regard by its citizens. Trefon (2009) cites quotes such as 'the state doesn't do anything for us', 'the state is dying but not yet dead' and 'the state is so present, but so useless', which illustrate these negative sentiments (if not outright hostility). Congolese citizens desire much but expect little from their government, and owing to the tendency of state officials to use their position to benefit themselves rather than serve the population, many would prefer that the government simply leave them alone. Trefon (2009: 10) describes how the Congolese interact with public services and the administration as follows:

'Workers, students, the unemployed, people from the formal and informal sectors, housewives and street vendors are all condemned to deal with the hungry representatives of public administrations. Escaping them is impossible. Avoiding a tax, be it official or arbitrarily invented on the spot, is a daunting challenge for some and a daily exercise for others. While most people do whatever they can to outwit the state agent in front of them, the latter rely on a host of tactics and strategies to have the final word. As arbitrariness reigns supreme, state agents try to push up the fine, tax or fee. Meanwhile, people try to pay the smallest amount possible. At the outcome of *palabre* (the ritual negotiation process), each party usually ends up with something: compromise is generally preferred to a unilateral decision.'

There are many reasons why this is the case. Mobutu promoted a predatory spirit of 'take what you can while you can' and rotated government officials often to avoid them from amassing influence. This spirit of using public positions for private gain persists. Officials today are underpaid (if paid at all, especially at the provincial or territorial level of government), have dilapidated working environments and are recruited through personal networks rather than on the basis of merit. Creating overlaps between functions, increasing the number of officials involved in transactions and acting as a gate-keeper to getting things done is how they increase their own personal benefits. Attempts to reform this system are hindered by the fact that most of the people within it would lose out from any such reforms, and thus block them (Trefon, 2009). As such, administrative reform in DRC suffers from a serious lack of political will.

2.4 Basic service delivery

There is very limited provision of public services by the DRC government. The three decades of rule by Mobutu were accompanied by a decline in economic growth and extraordinary deterioration of infrastructure and basic services in this vast country, most markedly in rural areas. The government has proved incapable of providing basic services and, as in many fragile states, the traditional notion of a state that provides a full array of public services has proved utopian (Titeca and De Herdt, 2011).

The decline in the provision of services by the government has not led to a complete vacuum, but rather the involvement of an array of other actors that have become important players in the provision of public services (which remains vastly inadequate). Driven by demand for essential services such as education and health, non-state actors such as community organisations, churches, communities and NGOs have stepped in to fill the gap in public service provision. For example, by the end of the 1990s, the education system in DRC arguably could be considered 'privatised', because most schools were run by non-state actors and because the majority of financing came directly from parents (Titeca and De Herdt, 2011). In the health sector, faith-based organisations and community-based organisations play a strong role and there has been substantial investment by donors such as USAID (Pearson, 2011). In both sectors, there is a uniquely Congolese situation whereby the state administration for health and education, in addition to the actual services provided, are financed, not by state budgets, but by payments made by parents and church user groups for the various accreditations, registrations and user fees (Titeca and De Herdt, 2011; Trefon, 2009). This upwards distribution mechanism (ventilation), in which money collected from parents filters up to the highest levels of state administration to supplement the existing sector budgets (much of which remains in Kinshasa), is not present within rural water supply or sanitation, for which

arguably less demand, a much more minimal state presence and much higher one-off financing costs have restricted the potential. The state of the water and sanitation sector is discussed in detail in the next section.

Assistance by international NGOs, including that related to service delivery, has increased dramatically in the last decade. Much of this has come via humanitarian assistance in eastern DRC. Humanitarian assistance to DRC was US\$ 546 million in 2011 (of which four per cent went to WASH).⁶ While humanitarian funding was slightly less in 2011 compared to the preceding three years, it is still 350 per cent, compared to 2001. Thus, while non-state actors, and particularly churches, have played an important role in basic service delivery that has evolved over many years, the role of INGOs as non-state actors has increased sharply in the last decade, particularly in the form of humanitarian assistance in the conflict-affected eastern part of the country.

2.5 State of the WASH Sector

Only 40 per cent all Congolese people have access to an improved water source,⁷ with significant disparities between rural and urban areas (Ministère du Plan et l'Institut National de la Statistique, 2010). Less than one-third of households in rural areas use an improved water source compared to 83 per cent in urban areas. The limited financial resources allocated to the sector means that new facilities are rarely built and existing ones seldom maintained (DRC, 2006). In rural areas, 60 per cent of existing waterworks are no longer operational owing to lack of maintenance (AfDB and OECD, 2008). Only one-quarter of the rural population and one-third of urban-dwellers have access to improved sanitation facilities (Ministry of Plan and INS, 2010). In a country where water resources themselves are abundant (UNEP, 2011), the majority of residents rely on self-supply from unprotected sources (rivers, unprotected wells), with no state involvement in implementation, operation, management, or financing. The country's low levels of access to improved water and sanitation are reflected in the renewed cholera outbreaks, which have now spread to eight of the 11 provinces and affected 40,000 residents.⁸

The very low level of state provision of water supply, sanitation and hygiene services mirrors delivery of other basic services in DRC, but the sector is more fragmented, with less of state presence at village level and with fewer of the traditional non-state providers seen in health and education (such as faith-based organisations). Sector institutions have all but collapsed following the two periods of conflict, and infrastructure was abandoned and destroyed while the population grew by more than 30 per cent. Recovery is going slowly, hampered by ongoing insecurity in the east, an absence of political will to push through institutional reforms, and the huge gap in institutional capacity required for decentralisation.

Legislation

The sector is in the midst of fundamental reforms initiated by the new Constitution (2006), and the Decentralisation Law (2008), which will move responsibilities away from central government. The central government's reluctance to decentralise authority has, however, delayed the process, and in reality there has only so far been a devolution of responsibility without the necessary financing and capacity. The World Bank is an actor currently applying pressure to the government to realise decentralisation of the sector, and pushing for creation of provincial-level sector plans.

A comprehensive new Water Law has been in development since 2007, with a final draft accepted in a broad stakeholder review in 2010 (DRC, 2008) but not yet passed by the General Assembly. The roles and responsibilities of various ministries in relation to water supply and

⁶ OCHA Financial Tracking Service, accessed May 2012

⁷ Meaning a water source that, by nature of its construction, is protected from external contamination (and in particular protected from faecal matter).

⁸ <http://www.irinnews.org/Report/95604/In-Brief-DRC-cholera-outbreak-worsens>

sanitation are still in flux, waiting to be defined by this new law. There is no nationwide policy or planning for rural water supply or sanitation, and there is no clear ministry responsible for rural sanitation and hygiene, with roles split between the Ministry of Health and the Ministry of Environment. Legislation to support institutional reforms has so far largely targeted the urban water sector, and comprehensive planning frameworks for rural water supply and sanitation in general are absent. Virtually all sanitation facilities in rural areas are constructed and maintained by private parties such as non-governmental organisations and religious missions.

Financing

Water and sanitation accounts for roughly 2.3 per cent of total public expenditures (including aid flows), which is approximately 0.6 per cent of GDP (AMCOW, 2010). This compares with other basic service expenditure, with the health sector allocated roughly two per cent. The direct contribution of the state since 2005 to the sector has been negative, largely due to the failure of state institutions to pay huge arrears in their water bills (about US\$ 30 million annually) (AMCOW, 2010).

Government funding allocations for the sector are heavily skewed towards Kinshasa (40 per cent) and within urban areas. Less than one per cent of funds are committed by the government for the eastern provinces (North/South Kivu, Maniema, Orientale), and less than 15 per cent of total commitments are dedicated to rural water supply and sanitation (AMCOW, 2010). This has resulted in provincial government agencies with responsibility for rural water (SNHR) and sanitation (health department) being without funds for either implementation or even basic administration costs (salaries of staff, office rent, equipment, transportation). The sector is therefore almost funded entirely by donors (95 per cent),⁹ but actual disbursements to the sector have lagged behind commitments and a key bottleneck is the state's extremely limited implementation capacity. Even as more finance is becoming available, the sector is not able to absorb it efficiently.

Government capacity

State capacity to deliver services is extremely weak, and as indicated above, direct financial constraints to increasing access have given way to a lack of implementation capacity as the primary limiting factor for development. Large aid flows have been mobilised for the rehabilitation of water supply installations and services, but less than 50 per cent of the budgets are able to be spent in publicly implemented projects.

Moreover, as in other sectors supported by development finance, donors are extremely reluctant to implement projects through government agencies given the legacy of corruption and overall administrative culture where public office is used for private gain. A striking example of this is UNICEF's support to the DRC National Programme of *Village Assaini*.¹⁰ Despite its clear (and oft-advertised status) as a 'government-owned and implemented' programme, UNICEF is reluctant to channel funding to support the programme through ministry departments. UNICEF is directly funding the capacity building and institutional strengthening of relevant government agencies, but the budget for hardware and software implementation for rural water supply and sanitation activities is channelled through partnerships with NGOs, who then taken on the responsibility for implementation in tandem with government partners.

Rural water supply and sanitation sub-sectors

The rural water sub-sector, and sanitation in general, have received less systematic attention than the urban water sub-sector so far. While there has been a trend away from *ad hoc* initiatives by the UN and aid agencies towards more programmatic approaches addressing capacity and sustainability concerns (*Village Assaini*), dedicated and empowered institutions are still absent.

⁹ Key donors for the WASH sector include GIZ and KfW, UNICEF, AFD, World Bank, DFID and Belgian Technical Cooperation. More detailed information on donor engagement can be found in AMCOW 2010 and DRC 2012.

¹⁰ <http://www.ecole-village-assainis-bdd.cd>

The National Service for Rural Water Supply (SNHR) within the Ministry of Rural Development is formally responsible for this sub-sector, but in reality its capacity is extremely weak, and its institutional status and implementation responsibility are uncertain under the ongoing decentralisation.¹¹ Whatever capacity the SNHR had built up in the 1980s in terms of equipment and installations was decimated by the mid-2000s due to war and looting. SNHR has been working with both AfDB and UNICEF to improve its capacity, but its reach into rural areas is extremely patchy. A handful of staff located in provincial capital cities are unable to cover the large territory of the entire province due to the low number of staff, as well as lack of any state budget to support transport costs/vehicles and, in many cases in Maniema and North Kivu, a lack of road networks to access relevant villages. In addition, although the SNHR is supposed to exist at the level of both province and the territory, this is far from the norm. NGOs intending to coordinate with relevant state agencies for the delivery of rural water supply through their projects often encounter self-organised 'ex-SNHR' staff in local areas as the only state presence. Knowledge of the existence and purported function of SNHR among rural citizens is extremely low, and its presence beyond the provincial capital cities is almost non-existent.¹²

There is a lack of state funding for even basic administrative costs (salaries of SNHR staff at the province level are not even paid), let alone resources for implementation. So coordination with SNHR by NGOs and participation of SNHR staff in various project activities require financing through the project to cover travel and personnel costs and, in some cases, even office rent. As with other basic services and state administrative functions observed in DRC (Trefon, 2009), SNHR seems to limp along based on its administrative role in documenting the existence of rural water supply systems, and validating technical reports on production capacities of springs – which are then registered within the Provincial Department of rural development. As this is the one function of SNHR through which it is able to generate income from non-state providers implementing rural water systems, it is extremely keen to maintain its responsibility for enforcing technical standards and monitoring. Fees for registering the water system and validating technical assessments done by non-state providers are at least able to generate *per diem* fees and small salary fees for the time spent on the non-state project.¹³

Under the Decentralisation Laws, rural water supply (RWS) provision will now be the responsibility of the provinces, and SNHR is moving away from implementation and management of RWS systems to providing advocacy to the central government, planning, technical support, and monitoring. Monitoring is indeed the role it is intent on playing in all NGO-implemented projects, with implementation left to NGOs and private sector contractors, while management and operation remain the responsibility of village-level committees.

Illustrating the overlap in ministerial responsibility, as well as fragmentation in the sector, the Ministry of Public Health is also engaged in rural water supply and sanitation through the *Villages Assainis* and *Ecoles Assainies* programmes (collectively referred to as *Village Assaini*). While SNHR and the respective provincial health agencies (zones de santé) are ostensibly to collaborate and coordinate in the implementation of the rural water supply infrastructure, this happens to varying degrees in the project sites due to the limited capacity and penetration of SNHR into rural areas.

¹¹ In May 2012, the Ministry of Energy was renamed the Ministry of Energy and Water Resources; while this ministry has previously had responsibility for urban water supply (through REGISED), it is as yet uncertain whether or not its new portfolio will also include rural water supply.

¹² In Maniema province, the SNHR staff affirmed this and stated that their focus is on the more accessible peri-urban areas.

¹³ In one location in North Kivu, the SNHR de territoire expressed its dissatisfaction with *INGOs* which are proceeding to construct and rehabilitate rural water systems without their coordination. However, their statement that 'this is our role' might be viewed more cynically as referring to a lost opportunity to collect rents rather than to *INGOs* bypassing state systems – as the SNHR does not have the resources for implementation.

Box 4: Village Assaini

To contribute to achieving the Millennium Development Goals for WASH in DRC, the Ministry of Health and Ministry of Education are implementing the national programme of *Village Assaini* and *Ecole Assainie* (Healthy Village, Healthy School). The National programme was started in 2006, and has the ambition to achieve 2,850 villages and 1,000 schools by 2012 or to reach a total of 2 million people and 500,000 students across the country.

Village Assaini is being implemented in each province across the country, with support from UNICEF. UNICEF is supporting training to public servants involved in the programme across the country, with offices in each province; it is also supporting NGOs to implement WASH activities in villages alongside government agencies. In addition to specific training for government staff, UNICEF is providing institutional support to the CNAEA (Comité National Action Air en Assainissement or the National Water and Sanitation Committee), the CPAEA (Provincial Committee for Action on Water supply and Sanitation) and the Provincial Department for Health (DPS) – paying for salaries, equipment and administrative costs.

Village Assaini is coordinated at the national level by the CNAEA and at the provincial level by CPAEA. The programme is managed and monitored through the DPS. Under the DPS, the Bureau Central de Zone de Santé (BCZ) is the key actor of *Village Assaini* – and has two staff dedicated to implementing the programme (community mobiliser, WASH supervisor).

The programme approach has evolved since its origin in 2006, with more community involvement being included to rectify the prior approach of primarily top-down supply-driven distribution of materials. Subsidies for household sanitation have been phased out, although still remain for rural water supply systems and institutional sanitation. The regulated eight steps of *Village Assaini* essentially lead communities through the Participatory Hygiene and Sanitation Transformation (PHAST) – combining hygiene education/awareness with diagnosis, community action planning, implementation, and monitoring and evaluation.

The programme approach continues to evolve and improve to address concerns raised in regard to

There are few rural water supply and sanitation development programmes being supported by donors. As previously mentioned, UNICEF is supporting the Ministry of Health in implementing the water/sanitation/hygiene *Village Assaini* programme in all 11 DRC provinces, but the programme is yet to be fully scaled up and is extremely small in the context of national needs. The only other rural WASH programme is that supported by Belgian Technical Cooperation (BTC), which is executing a multi-donor programme to support rural and peri-urban community-based autonomous water supply systems. This programme is being implemented in five provinces, and works primarily through the Ministry of Planning, through the CNAEA and CPAEA committees. The AfDB is now considering starting up a significant portfolio of support to the rural water sector, but is still trying to identify an institutional partner to work with from among the various ministries (and levels of government) involved.

Non-state providers

Given the lack of state capacity to provide rural WASH services, there are other actors filling the gap, but where NGOs are not present (in the vast majority of locations), local communities are largely left to provide these 'services' themselves. The existence of abundant water resources means there is seldom a problem with water quantity; the problem is rather with water quality (UNEP, 2011). Poor water quality is often linked to a low level of awareness of hygiene and proper sanitation, but also related to livestock and other environmental contaminants.

Formal private sector provision in the rural WASH sector is almost non-existent. Contractors are hired by NGOs to construct physical works, but the private sector is not involved in any operation or maintenance of rural systems. Additionally, there are local NGOs contracted by INGOs and donors to implement a WASH project, but their role in ongoing operation and maintenance is largely *ad hoc*, based on the ability of the villages to raise the funds required for materials. There are, however, instances of informal private sector operations. For

instance, in a Tearfund project site in North Kivu, a local elite had managed part of a donor-financed large-scale gravity-fed water supply system, and continued to operate and maintain this based on cost-recovery fees from local water users. Likewise, in the Territory of Lubera (North Kivu), Oxfam found that an 'ex-SNHR' staff had been managing the operation and maintenance of a gravity-fed water supply system for years, paying himself a small salary and collecting sufficient funds for very basic repairs to the system.

Notably, unlike in education or healthcare, faith-based organisations have not been involved in working with local communities to fill the gap left by the state in rural water supply. This is largely due to the different nature of the 'good' being provided – as water supply requires levels of engineering knowledge and hardware that are often unfamiliar to faith-based organisations,¹⁴ that are outside their existing technical capacity and that, at least for piped systems, require substantial funds that cannot be raised locally. It would also seem that the ready availability of raw water sources in DRC – although unprotected and of poor quality and sometimes at great distance from households – means that communities are not completely without water resources. In contrast, provision of education and healthcare would be completely absent without NSP intervention. Faith-based organisations have been more active in hygiene education and sanitation promotion, but have played a less dominant role than is seen in education or healthcare.

NGOs have played the largest non-state role in providing WASH services, but their activity has largely been focused on conflict-affected areas, not necessarily where need is greater but where humanitarian funding has been available. WASH received an average of 4.3 per cent of humanitarian funding between 2006 and 2011.

Table 2: Humanitarian funding to WASH and total humanitarian funding to DRC (2001-2011)

| Year | Funding for WASH | Total humanitarian funding | % to WASH |
|-------|------------------|----------------------------|-----------|
| 2011 | \$22,002,005 | \$546,457,465 | 4.0% |
| 2010 | \$26,253,129 | \$580,752,800 | 4.5% |
| 2009 | \$22,741,915 | \$667,091,478 | 3.4% |
| 2008 | \$29,406,066 | \$646,232,679 | 4.6% |
| 2007 | \$26,582,921 | \$498,737,513 | 5.3% |
| 2006 | \$17,037,222 | \$442,784,236 | 3.8% |
| 2005 | \$1,026,778 | \$268,039,382 | 0.4% |
| 2004 | \$934,222 | \$224,034,274 | 0.4% |
| 2003 | \$3,894,182 | \$187,125,767 | 2.1% |
| 2002 | \$630,593 | \$176,647,797 | 0.4% |
| 2001 | \$2,927,846 | \$154,128,411 | 1.9% |
| TOTAL | \$153,436,879 | \$4,392,031,802 | 3.5% |

Source: OCHA Financial Tracking Service, accessed May 2012

Rural water supply and sanitation projects implemented by NGOs have often gone beyond the remit of immediate emergency relief and work in the transition from humanitarian and development activities, establishing permanent infrastructure such as household and institutional latrines and gravity-fed water supply systems. These rural WASH systems are almost always handed over to the local communities, sometimes but not always in coordination with SNHR and health departments, through a local WASH committee. The sustainability of these systems depends on the ability of village residents to operate and maintain the systems, the complexity of the infrastructure installed, and the availability and cost of replacement parts. SNHR does not have the resources or presence to be able to repair systems and, for remote locations, is not even able to access the village.

¹⁴ The Tearfund partner in DRC, PPSSP, is a notable exception to this, with high capacity in the WASH sector.

Sector coordination

Coordination in the rural WASH sector is conducted by the Ministry of Planning, which houses the National Water and Sanitation Committee (CNAEA), and provincial planning ministries house the provincial committees for action on water supply and sanitation (CPAEA). These committees were established in 1997, and set up as the body responsible for sector coordination, bringing together the multiple state actors involved in the sector (Ministry of Environment, Ministry of Rural Development, Ministry of Health, Ministry of Energy, Ministry of Higher Education, Ministry of Public Works and Ministry of Finance) at both the national and provincial levels, although this coordination does not exist in all provinces. The CNAEA and provincial CPAEAs are, however, relatively weak, lacking the political authority to coordinate various public authorities.¹⁵ Now supported by UNICEF and GIZ, these committees seemed to have a renewed role to play in sector coordination, but largely at the national level, although this may change with ongoing decentralisation.

Sub-sector coordination meetings at the provincial level are done mostly through the humanitarian WASH cluster led by UNICEF. Interviews with the North Kivu and Maniema CPAEA indicated meetings between government agencies are primarily held to resolve issues in coordination with NGOs, not in response to internal or government-led agendas, and do not occur on a regular basis. The Minister of Planning for the province of Maniema was not aware of the fact that his department was responsible for this function, although there are currently two staff within the department leading the committee.

Exacerbating the fragmentation of the sector between government agencies is the lack of coordination and harmonisation in donor strategies for the sector. A donor sector working group does meet in Kinshasa (currently led by KfW), but donors still seem to be pursuing their own strategies for sector reform, with UNICEF supporting the MoH, GIZ supporting the Ministry of Planning, other donors working through *INGOs*, and the World Bank pushing for decentralisation and strengthening of the CPAEA.

2.6 Peace-building in DRC

Peace-building has been a (if not 'the') top priority of international engagement in DRC since the end of the war. Peace-building in DRC is most commonly associated with the world's largest UN peace-keeping mission. The United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC) was created in 1999 and transformed into the United Nations Stabilisation Mission (MONUSCO) in July 2010. The change from MONUC to MONUSCO marked a shift towards supporting the DRC government to achieve peace and stability, as opposed to the peace-keeping mission doing this work directly. While there are some initiatives related to resolving local conflicts and NGOs with dedicated peace-building activities, such as the Life and Peace Institute, a major critique of peace-building in DRC is that international efforts have focused only on national and regional tensions, to the detriment of addressing local conflicts related to political rivalries, land and resources (Autesserre, 2010).

In DRC, 'stabilisation' has become a common term amongst donors, aid agencies and the UN mission for describing programming with peace-building and state-building objectives. The government and UN have also developed stabilisation strategies¹⁶ that seek to promote peace and stability. One component of the strategies seeks to reduce and prevent conflicts over land that might result from returning refugees and internally displaced persons (IDPs), and the delivery of basic services to areas they are returning to is considered as an activity that can

¹⁵In an interview with the North Kivu CPAEA, the secretariat reported that, when targets are not met by the respective agencies, they are simply revised. No penalties are enforced, or indeed expected, but explanations as to why delays have occurred are given and subsequent targets are recalculated to take the delay into account.

¹⁶The government and the UN have each developed stabilisation strategies, the Stabilisation and Reconstruction Plan for Eastern DRC (STAREC) and the ISSSS respectively. While there are some differences between the plans, both seek to improve stability in conflict-affected areas through a combination of security interventions (mainly security sector reform and the demobilisation, disarmament and reintegration of combatants), restoring state authority in zones previously controlled by armed groups, facilitating the return and reintegration of IDPs and refugees, reducing the trafficking of natural resources and addressing sexual violence.

contribute to peace-building activities within the five components of the International Security and Stabilisation Support Strategy (ISSSS). As part of their efforts to promote stabilisation, some NGOs and UN agencies are carrying out programming to support basic services with a peace-building component, such as the UNICEF-funded PEAR Plus programme, which will be discussed later.

Another peace-building project of note is the DFID-funded Tuungane Programme, which has sought to use community-driven reconstruction (whereby communities form committees and choose projects) in South Kivu and Katanga, to improve stability through activities that promote collective action, good governance and social cohesion. IRC partnered with Columbia University to research the impacts of the programme. The baseline survey found that a lack of social cohesion was not a major problem: the majority of respondents report that they suffer no problems in terms of access to basic economic and social activities in their communities; they also reported few problems for others. Concerning governance, while respondents saw decision-making power in their communities as being clearly vested in the hands of the village chief, and to a lesser extent in the hands of elders, there was no evidence of a demand for more participatory decision-making (Humphreys *et al*, 2008). These somewhat surprising findings on social cohesion and attitudes towards governance highlight the importance of not making assumptions about these issues (eg that conflict has destroyed social cohesion, or that people in a village desire more participatory decision-making). Moreover, the final evaluation of the programme found that the activities had no impact on its objectives of promoting stability, social cohesion and governance (Humphreys *et al*, 2012), emphasising both the challenges of how external actors might have an impact on these complex dynamics and the fact that donors and aid agencies might move forward on unverified assumptions.

Box 5: Evaluation findings from the Tuungane and lessons for Tearfund

The IRC *Tuungane* ('let's unite' in Swahili) programme has been working in eastern DRC since 2007 in 1,250 conflict-affected villages, reaching approximately 1,780,000 people. Over this period, *Tuungane* organised the election of village committees in each village, as well as training in leadership, good governance and social inclusion. The elected committees were provided with US\$ 1,000 to select development projects and oversee their implementation. The theory behind the *Tuungane* intervention is that training, coupled with accountable governance in the context of these projects, can bring about change in local accountability, improve social cohesion and improve the welfare of communities (Humphreys *et al*, 2012).

Columbia University, in partnership with IRC, undertook rigorous research in order to measure whether these objectives were met (by using 'control' non-*Tuungane* villages which also received US\$ 1,000 to implement projects, but with minimal guidance and oversight). The evaluation found no evidence that the positive experiences with the *Tuungane* intervention led to behavioural changes in the *Tuungane* villages. It found that many local governance measures were already relatively strong in both control and *Tuungane* areas. For example, nearly half of all committees were selected through elections, yet the likelihood of using elections was nearly as high in non-*Tuungane* areas. Levels of transparency were also similar in both areas. There was some weak positive evidence for improvements in trust (namely trust in ex-combatants) but no effects were seen for other measures of intra- or inter-village cohesion (*Ibid*).

The evaluation proposes three possible explanations for the lack of impact on governance and cohesion, which are important for actors such as Tearfund who are considering similar potential impacts of their programmes. The most basic explanation for weak effects on governance is that 'existing structures are resilient and that while behaviour may change temporarily to meet the conditions of development actors, more fundamental change is not being achieved' (*Ibid*). In other words, creating structures such as local committees and providing guidance do not get around existing power structures and forms of governance – for better or worse. A second possibility is that the scale of the project (ie the number of people trained, size of grants) was too small to generate governance effects. A third prospect is that 'the programme is pitched at the wrong level to effect change in governance structures and social cohesion; *Tuungane* has focused on the most local levels which may not display the same problems of cohesion and weak governance that are so visible in Congo at the macro level' (*Ibid*; emphasis added). All of these findings challenge the notion that the community-driven reconstruction model, which is deliberately designed for impacts on governance and social cohesion, is able to generate the social and economic results that advocates attribute to it (*Ibid*).

The findings from *Tuungane* are very relevant for Tearfund as they emphasise that: assumptions by development actors about how development interventions might improve peace-building and governance might not hold true in the DRC context, particularly at the local level; CBft that the lack of social cohesion might not be a major problem, even in conflict-affected villages; and that existing power dynamics and governance structures are resilient and not easily changed (particularly not by short-term interventions).

There have also been efforts to focus more on local conflicts, such as those related to land and the return of IDPs and refugees. As part of the stabilisation plans, UN-Habitat has been involved in mediating land disputes and worked with the government to create committees that can be involved in local dispute resolution. However, while little research has been done on the effectiveness of committees in resolving disputes, one hypothesis is that such structures would be limited to resolving local disputes (e.g. between sons on inheritance claims, between neighbours on boundaries), and have much more limited impact on ones that are linked to drivers of armed violence.

2.7 Implications for peace-building and state-building

Drawing on the previous sections of Chapter 2 reviewing the characteristics of the state, status the WASH sector, and nature of the conflict(s) in DRC, the implications for peace-building and state-building through WASH service delivery programmes are highlighted below. This analysis will be revisited in the conclusion, drawing on field research findings in Tearfund project sites to identify which routes are valid opportunities to PB or SB within Tearfund programming.

- **Opportunity:** the ability for citizens to participate in the economic, social and political activities of 'normal' life
 - Ongoing conflict and instability prevents 'normal life' of citizens (death, displacement, loss of livelihood and assets).
 - Multiple levels and causes of armed violence – most of which cannot be addressed by NGOs and are where you would not expect assistance to have a positive impact.
 - WASH services are extremely limited in rural areas, contributing to the spread of diseases (cholera, diarrheal, malaria), and other barriers for citizens' participation in economic and social activities.
 - Maintenance of rural water supply systems provides some, if limited, employment opportunities for ex-government staff (SNHR) but formal private sector provision is non-existent.
 - Rural water supply systems generate economic opportunities for local elites who use systems to irrigate plantations or water livestock, but do not afford economic opportunities for average village residents.

- **Visibility:** presence of the institutions, including the state, and infrastructure associated with stable societies
 - Main visibility is NSPs (particularly INGOs) rather than the state for rural WASH services.
 - Donors channel money through NGOs rather than state agencies or budget support.
 - State presence is viewed as a negative experience, associated with the military and the police, as well as taxation by non-security personnel.
 - Citizens' expectations for state provision are extremely low, and given the predatory nature of the DRC state and the failure of the state to do basic things such as build roads, many do not desire more state presence in the sector, preferring NSPs over the state.
 - Health sector has a higher degree of visibility in society with institutions penetrating down to villages (post de santé, centre de santé, zone de santé), but are primarily associated with treatment rather than prevention (hygiene promotion) and operational activities enabled by NSPs (NGOs, donors, churches), and financed through user-fees and non-state funding sources.
 - Local chiefs (chef de village, chef de groupement) and churches are also visible local actors, though they have a range of interests.

- **Collaboration:** processes for joint-working between state and society, or within society, which can reinforce cohesion
 - Legacies of DRC governance style which created multiple agencies with overlapping mandates to destabilise and discourage local power bases, have undermined joint working and collaboration between state actors.
 - Government coordination in the sector is extremely weak or absent; there is poor or absent communication between levels of government (local, provincial, national), except in the health sector; rural water supply portfolio is the responsibility of multiple agencies, and ownership is unclear.
 - The DRC state is less present in rural water and sanitation than in other sectors, where it is extremely present but often in a negative fashion. The state is extractive and citizens try to avoid contact with the state to reduce fines, fees, or permit costs.
 - Health sector provides an example of where the state is present, and largely in a positive way, but this is largely enabled through user fees and NSP support.
 - Government agency staff for WASH are not paid salaries, or provided with the resources required to engage and collaborate with NSPs or residents (transport, equipment). Every interaction requires a payment for their presence, and beyond payments staff are not motivated, or are simply unable, to engage.

- Local state actors try to get engagement/*per diems*/'primes' from NGOs as they are unpaid or paid very little. Just as the government takes from citizens, they also see NSPs as a resource to tap.
 - The long-standing involvement of NSPs in service delivery for education and health sector suggests opportunities, but this is not yet present for rural WASH.
 - High levels of existing collective action: history of communities 'taking care' of their basic water supply needs (given the absence of the state), alongside provision of roads, schools, health clinics.
 - Limited attention is paid by the international community to the role of local conflicts in peace-building.
 - Local conflict issues are not necessarily linked to armed violence (eg tensions between neighbours/communities, tensions related to the provision of aid) but have important impacts for sustainability and equity.
- **Inclusion:** involvement of all in political, social and economic life and the levelling of inequalities which lead to grievance
 - Access to WASH services: large urban bias in provision of WASH services; only 15 per cent of state expenditure to rural areas.
 - NSPs concentrate rural WASH programmes in conflict-affected locations, despite large levels of need in other provinces.
 - Military vs. civilian access to water supply in rural areas is a tension.
 - Majority of state budgets for all sectors stay in Kinshasa; for WASH, only one per cent is spent in eastern areas.
 - Ethnic identities are a key driver of conflict, but it is unknown how much of this is intra-village and/or inter-village and/or could be mitigated by equitable access to WASH services.
 - Exclusion is not necessarily a problem within communities (cf Tuungane baseline); social cohesion might be much stronger than aid agencies assume (ie it has not necessarily been severely weakened/destroyed by years of conflict and poverty).
 - **Accountability:** responsiveness to citizens' needs and implies a two-way dialogue rather than a top-down process
 - Lack of political will for decentralisation in the sector.
 - Little or no accountability links between government; no incentives or penalties for poor performance.
 - Dominance of fee-based systems (such as education and healthcare) paid for by user fees allows for higher degrees of accountability from those providing the service.
 - Limited political space: flawed and non-transparent national elections; delays with local elections.

Efforts to promote state-building therefore run into a series of challenges: the state being supported is predatory towards its own citizens, lacks political will for reform and is severely lacking in capacity. General assessments of international efforts relating to state-building and peace-building in DRC are that they have fallen far short, owing to both the enormity of the challenges and international actors' limited understanding of precisely what they were dealing with. A pessimistic interpretation might suggest that the challenge of corruption and political predation limits the positive peace-building and state-building impacts from more small-scale efforts and contributions from NGOs such as Tearfund. A more optimistic view is that, even amid such challenges, there are opportunities for positive impact from larger collaborative efforts designed to impact peace-building and state-building in their programme design. However, ambitions by NGOs to contribute to state-building and peace-building need to be grounded in the realities of DRC and the enormous challenges that have faced such processes in DRC thus far.

2 Case study 1 - Tongo, North Kivu

2.1 Context

Geography

The Tearfund project site in Tongo lies in the territory of Rutshuru, in the province of North Kivu (see Annex 1 for a map showing the location of Tongo). The project site covers two large villages, Rushege and Rushovo, in Tongo, with a population of approximately 20,000 residents to be served by the rural water supply systems and sanitation activities from Tearfund. The territory of Rutshuru is mountainous, including a large portion of the Virunga National Park. Tongo is located immediately adjacent to the main road transecting the National Park, and the villages are located along the mountain sides and in the valley.

Livelihoods

Almost all residents practise small-scale, subsistence agriculture, with most households owning or renting between half a hectare and five hectares of land. Most of the land in the cluster of villages in Tongo are owned by two large landowners. One of the landowners has inherited the vast track of land from prior colonial holdings, passed down through the family. The other large landholder in the village was not identified, but we note that many influential people have obtained large landholdings during the period of conflict, and some of these are members of the military or the government. Most of the households in the villages pay rent for the agricultural land where they practise subsistence agriculture, a rare occurrence in DRC. Before the conflicts that started in 1992, most households raised livestock and measured their wealth in terms of heads of cattle. However, almost all the herds were wiped out during the fighting. The population is extremely poor and, due to the continued insecurity, their farming methods minimise risk rather than maximising profit. Many of the households have a widow at their head.

Other economic activities include small-scale trading, brewing of banana beer and logging, and are dominated by the IDPs in the villages, who do not have access to land to grow produce and provide for the subsistence needs of their families. There is a squatter settlement on lower land, on the outskirts of village, whose inhabitants are not recognised as residents and have no land rights (being IDPs). The dominant ethnic majority in the villages is Hutu, with a small minority of Tutsi and Hunde populations. There are three primary schools in the area, all publicly run, one under the government and two operated by local churches. All three are receiving institutional latrines constructed by Tearfund. There are a handful of posts de santé in individual villages (staffed by one nurse apiece), and a larger better-equipped centre de santé within five kilometres of the villages.

Recent conflict

Rutshuru and other territories in North Kivu have continued to be hotspots for conflict beyond the end of the civil war (1998–2003), and the signing of a peace agreement between the DRC government and armed groups in January 2008. The peace process has remained fragile and conflict has persisted, recently erupting again in April 2012, with the defection of General Bosco Ntaganda (former military leader in the CNDP) from the FARDC.¹⁷

Defections from the national army (FARDC) in mid-April left security vacuums across the region that were filled by militia groups. The situation further deteriorated when FARDC redeployed troops in the region to help quell the rebellion. Fighting in the North Kivu town of

¹⁷ The primary organisations involved in the conflict in North Kivu are the National Congress for the Defence of the People (CNDP) and the Democratic Forces for the Liberation of Rwanda (FDLR). These two groups have fought each other and the military (FARDC) over land, resources and, to a lesser extent, political influence for several years. The CNDP arose in 2006 under the leadership of Laurent Nkunda in opposition to the government, and the FDLR, which was formed in 2000, is a predominantly Hutu Rwandan rebel group opposed to both Tutsi influence in the east of the country and the rule of the Rwandan Patriotic Front (RPF). The fluctuating fortunes of these two groups largely determine the security situation in the region.

Masisi, the stronghold of indicted war criminal Gen Bosco Ntaganda and the now militarily defunct rebel group CNDP displaced a major wave of people in mid-April. A second wave took place in May, when fighting spread to Rutshuru district where March 23 Movement (M23) rebels have established their base; local militia are also accused of killing scores of Kinyarwanda-speaking civilians in the region; and there have been retaliatory attacks by the pro-Hutu militia group, Democratic Forces for the Liberation of Rwanda (FDLR).

Rebel groups have a strong presence in the areas in and around the Virunga National Park, which is immediately adjacent to the Tearfund project site of Tongo. Access to the villages in Tongo requires transport through the national park, and incidences of NGO and other vehicles being stopped by rebels for theft of valuable contents has been frequent. Due to these security concerns, Tearfund staff were not able to work in Tongo for a month between May and June 2012, and were only recently able to resume activities.

Displacement

It is estimated that the latest conflict (April–June 2012) has already displaced more than 200,000 citizens from North Kivu within DRC, while 20,000 others have fled across borders into neighbouring Rwanda and Uganda (Agence France-Presse, 25 June). Reports on numbers of new IDPs within the Tearfund project site have been contradictory, and during the research visit there were no large camps of IDPs present. Although local populations have absorbed internally displaced households from nearby areas as in Rutshuru, people have not moved very far from their places of origin where fighting is ongoing.¹⁸ Tearfund reported that approximately 4,000 IDPs were living with households in the villages, displaced by conflict events prior to April 2012. Given the renewed conflict, there is a heavy presence of DRC military within and around Tongo, which has heightened tensions with local residents as additional check points and passes are being used to extract resources from households.¹⁹ There has been a military camp in the town for many years, but the number of soldiers has recently increased.

2.2 Theory of change

Tearfund's project activities in Tongo are supported by EU WASH funding with co-funding from DFID through the Global Poverty Action Fund (GPAF). The EU WASH project began in March 2011 and will close in March 2014, but the project intervention in Tongo was designed for a one-year implementation – March 2011–March 2012. At the time of writing, the project was set to close in July 2012, as the implementation schedule had been disrupted by the conflict, with Tearfund unable to access the project sites. The DFID-funded 'capacity building to improve humanitarian action in the WASH sector' programme was used in DRC to support technical advice, specific capacity building activities and learning events, and policy advocacy work, rather than funding any direct project implementation activities – which was the case in South Sudan and other countries included in the project.

The project is implemented through Tearfund's Operations team, with a regional office in Goma and a project base in Tongo. Globally, all of Tearfund's long-term development work (and some of its humanitarian response) is implemented through local partners, so this project is identified by Tearfund as 'humanitarian', and implemented through its own Operations unit. However, although the project timeline is similar to most humanitarian funding (12 months or less), this project approach (community-based development and engaging government) and the project's activities are more development-oriented than humanitarian (ie interventions designed to provide sustainable access to WASH services versus relief/emergency provision). This project thus highlights the difficulties in making clear distinctions of what is 'humanitarian' and 'development' in a context of long-term instability, limited government capacity and the dominance of humanitarian funding sources (including for activities that go beyond more 'traditional' emergency interventions).

¹⁸ IRIN, 25 June 2012, <http://www.irinnews.org/Report/95726/DRC-North-Kivu-displaced-need-more-help>

¹⁹ The military presence along the road running through the national park, connecting Tongo to Goma and trade areas, was being used to stop all commercial traffic to extract resources, especially on market day.

Neither the EU WASH or the DFID project documents articulate a theory of change for the project on the relationship between providing access to WASH services and PB or SB. Specific objectives for the project (taken from both the EU WASH and DFID project documents) are primarily oriented at increased provision of improved rural water supply, sustainable sanitation facilities, and improved knowledge of hygiene practices. Indicators include:

- Reduction in incidence of water- and excreta-related diseases in target communities by 50 per cent in adults and by 30 per cent in children under five within three years
- More than 65 per cent of beneficiary adults and 85 per cent of school-age children practise safe hand-washing within three years
- Reduction to consumption points of round-trip travel time to less than 30 mins, distance to 500m maximum and altitude to 100m for 90 per cent of target population within three years
- Increased beneficiary household water consumption from less than ten to 15 litres *per capita/* day for 90 per cent of target population within three years
- Zero faecal coliforms /100ml at source and collection points at end of each construction
- 85 per cent of target population trained in health, hygiene and safe sanitation by competent promoters, by Year 3; 85 per cent implementing a minimum of three positively identifiable changes to practice (one of which must be safe excreta disposal)
- 85 per cent of constructed latrines and water supply systems regularly maintained, functional and used five years after construction
- Number of days without water supply less than ten days *per annum/* collection point for first three years after completion
- Beneficiary Water Committees manage routine and preventative maintenance of project hardware in 90 per cent of schemes within three years of completion, and beneficiary monitoring teams monitor health and hygiene improvements.

Specific indicators related to building the capacity of local partners and national government include:

- Partners and local/ national government engaging in joint action to improve PHE coverage and access to water and sanitation, within three years
- 90 per cent of trained personnel from government and civil society health institutions capable of giving improved quality of PHE service, and competently apply newly learnt PHE techniques within the community.

There were no specific state-building or peace-building objectives in the project design, and a conflict mapping or analysis was not conducted prior to or during the project.

2.3 Service delivery modality: what, who, how, where

Table 3: Tongo WASH project service delivery modality

| WHAT | | WHO | | HOW |
|-----------------------------|--|--|---|---|
| | | NSPs | Government actors | |
| Rural water supply | <p>3 Gravity-fed water supply systems:</p> <p>spring catchments, reservoirs, piped distribution,</p> <p>stand pipes/water points</p> | <p>Tearfund - finance, project management, implementation</p> <p>Private sector contractor for construction (Goma-based)</p> <p>Households: transport of materials and construction labour</p> <p>Military: attend community meetings, participated in training events/workshops</p> <p>Village WASH committee (10 members): management, financing repairs, operation</p> <p>Chef de groupement (traditional authority), oversight and facilitation of work with the village</p> <p>Local churches - adviser to WASH committee, facilitation of work with the village</p> | <p>CNAEA/CPAEA - site selection only</p> <p>SNHR de territoire - MoU with Tearfund -Tearfund provides <i>per diems</i> for their involvement and equipment for office -technical assessment for spring capacity -registered system with government -officially responsible for WASH committee following Tearfund departure</p> <p>BCZ - MoU with Tearfund -\$150/mth and <i>per diems</i> from Tearfund -not much involved to date</p> | <p>Following the <i>Village Assaini</i> approach but, as the villages are still not registered within the government database, it has been difficult to get government partner involvement, as they have less incentive; village is not within their reward scheme from UNICEF</p> <p>Community-based operation, management scheme: WASH committee to manage distribution through tapstand managers</p> <p>Water tariff - not yet decided, but finances for repairs come from households, as it has in the past</p> |
| Household sanitation | 730 household latrines | <p>Household financed, construction</p> <p>Tearfund - supervision</p> <p>Chef de village - leadership, coordination</p> <p>Local churches - leadership, motivation</p> | None to date, later on in project hopefully the BCZ | <p>Combination of CLTS with <i>Village Assaini</i></p> <p>Zero-subsidy approach</p> |
| School sanitation | 130 latrines in schools | <p>Tearfund - finance, project management, implementation</p> <p>Private sector contractor for construction (Goma-based)</p> <p>Parents' school</p> | None to date, later on in project hopefully the BCZ | |

| | | | | |
|--------------------------|--------------------|--|---|--|
| | | <p>committee –project planning</p> <p>Chef de village</p> | | |
| Hygiene education | Water safety plans | <p>Tearfund staff - hygiene training</p> <p>Local leaders - hygiene training recipients</p> <p>Military commander - attended water safety plan training, led hygiene activities in military camp</p> <p>Local churches - hygiene education</p> | None to date, later on in project hopefully the BCZ | |

2.4 Effects and entry points for state-building

Legitimacy and accountability

It is often assumed that the visibility of the state (if it is seen to be delivering benefits to citizens, such as basic services) increases its legitimacy, although this has recently been challenged in different contexts (CfBT, 2012). In DRC, one must understand that the visibility of the state does not necessarily equal legitimacy.

- One of the GFSs being implemented by Tearfund is a rehabilitation and expansion of an existing system. The existing GFS was designed to serve 2,000 residents, and is clearly insufficient for the current population of 20,000. However, important to note in terms of legitimacy of the state is the attribution of that project by residents to 'NGOs', or – more frequently heard – to a local landowner. In fact, the system was financed by EU funds in 1990 and constructed partially by SNHR (whose visibility is cemented in the reservoir structure), but operated and managed by the landlord and local leaders (often under extractive terms). No one interviewed ascribed this project as coming from the state, and no one in the villages, except the village WASH committee, had ever heard of, or understood the mandate of, SNHR. When the original GFS implemented under the EU had broken down, the village committee did not approach SNHR, or other government actors, but went to seek assistance from Caritas/the Catholic church.
- The visibility of the state in DRC is often negative. Most residents from the village identified the presence of police as their dominant or only experience of the state, 'when they come to take money from you, or punish you'.
- The government is not seen as a legitimate actor in meeting development needs. This was clearly communicated by households and local leaders – some of whom are ostensibly part of the state administrative systems (chef de groupement). Residents stated that it is no use passing needs/issues 'up the chain' of government administration, feeding up issues for the government to take into consideration when planning development or policies for the region. According to the chef de groupement, he does not raise development issues/needs with the chef de cheferie or the chef de territoire, as he thinks they will simply 'forget' issues he raises, so why bother? Whatever he can do to fulfil the needs of the community himself, he will do. Other comments from a chef de village were, 'Who is the government? Who are they? I have never seen them. They have not brought schools or clinics to the villages.'

- While the local leaders realise that the Tearfund project is being done with approval of government, and to some degree cooperation (ie the state is ever-present), all the benefits of the project are so far attributed to Tearfund alone. 'The government shouldn't be providing more development, because then there would only be more corruption. It is better that Tearfund is here.'
- Due to the delay in registering this project in the *Village Assaini* database, there has been little incentive for government health agency (BCZ) to become engaged – despite the institutional support and *per diems* provided by Tearfund. Therefore, there has been to date no engagement with village WASH committee or residents by BCZ and therefore the project has not (as yet) increased its visibility.
- Expectations of citizens for the role that government should play in enabling development or provision of WASH services are extremely low. According to our interviews, citizens would not approach the government to install/construct a water supply system; they would do this themselves when/where possible (bamboo pipes and small spring catchment). Neither would they approach the government to repair a broken system. When questioned what would happen when/if the GFS required repairs that they were unable to do on their own, the residents stated they would approach another NGO for assistance, or possibly the church. With such a low bar in terms of expectations of the government, positive actions by state actors involved in the Tearfund project could have positive perceptions, although obviously people will weigh those against other perceptions (ie encounters with the police). Additionally, good actions are usually attributed to the leadership/character of individuals in positions of power (good church leaders, good village chiefs), rather than the government as a whole, given that there is no incentive or reward for them doing a good job.
- The research did not uncover examples of how state involvement in the Tearfund project increased accountability towards citizens. If there was a relationship of accountability from the state actors involved, it was towards Tearfund, who provided the *per diems* and institutional support (laptops, printers, monthly salary contribution) for them to undertake specific activities within the project cycle (eg SNHR's visit to the villages to validate the technical assessment of spring capacity). Even then, that relationship was barely present, as illustrated through the lack of engagement with BCZ, despite the monthly payment of US\$ 150.²⁰ There is a mutual understanding between state actors and all donors/INGOs that they must pay for any engagement with the state, and the fees vary depending on which territory or government agency is participating, on what other support state agencies are receiving (ie through UNICEF), and on the ability of the INGOs themselves to negotiate (ie reports of some NGOs paying US\$ 1,000/month to BCZ, compared to Tearfund's contribution of \$150/month). Engagement between the village WASH committee and state agencies has so far been limited, with minimal engagement with SNHR, and no engagement with BCZ to date.
- Accountability of SNHR to the village WASH committee is understood to operate on the model of supplier/customer, rather than state/society. The village WASH committee and local traditional authorities understand that if they request assistance from SNHR for any required maintenance of the GFS at a future date, this will be based on payments they are able to make for SNHR services, in addition to financing the materials needed for repair. Given the absence of state funding for salaries and transportation, this is the norm in DRC and is well understood by village residents. What is more often the case is that village residents attempt to undertake their own repairs with local materials, or collect funds to pay a local technician/plumber.

²⁰ Tearfund supported SNHR through the provision of office equipment (laptop, printer, cartridge) which was allegedly stolen from the SNHR office the following day.

- A negative example of accountability from local traditional authorities (*chef de groupement*) to village residents was illustrated by rent-seeking behaviour around water prior to Tearfund intervention. In Rutungu village, existing tapstands providing safe water could not be accessed by nearby households, as a local 'big man' came to charge them US\$ 5 a month for their use of the water. Unable to pay this amount (which was in addition to the usual 200 Francs a month paid for ongoing maintenance), the households simply reverted to collecting water from the river in the valley. When asked if they had taken this issue to their local leader (*chef de groupement*)²¹ for resolution, households replied that the leader was part of the rent collection scheme. When asked what could be done to prevent this situation from occurring in the Tearfund scheme following their exit, households were unable to answer. The strategy, they said, was up to Tearfund to identify, and although they had a high level of expectation that local appropriation of the water sources would occur again after Tearfund's exit, they clearly did not think this was something that could be changed. They would simply be happy to benefit from the water sources while they were able to (ie during Tearfund's presence). The *chef de groupement* involved in this example has since left the post, but he is now the president of the WASH committee, and his brother has replaced him as *chef de groupement*. It is clearly understood and accepted that those citizens in positions of power will use this first for their personal gain and secondarily for the public good. A key lesson here is that establishing WASH committees (even when representing all ethnic groups and including women) does not circumvent or transform local power dynamics that are linked into the state, for better or worse.
- As the above example relates, citizens do not expect the state to be accountable to them as citizens. Any potential form of accountability is only constructed in the identity of a citizen as a customer – paying for state services. In the words of a local resident, they prefer NGO over state involvement in development: 'We don't want them here; [if they do development work,] benefits will only go to their own families.'

Capacity and authority of the state

- As a non-state actor, Tearfund is making appropriate linkages with government bodies. There is no evidence that direct service provision by Tearfund is undermining state authority, particularly given the very limited involvement of state authorities in rural water supply and the long-standing engagement of NSPs in service provision. If anything, Tearfund's presence could challenge local power dynamics (e.g. local leaders extorting money from households for access to water taps), but there is little likelihood that this situation will change fundamentally beyond the life of the project.
- If the authority of the state is associated with state presence and activity in areas where the state was not previously involved (ie provision of WASH), then increasing state presence slightly (although probably temporarily) by involving state actors such as SNHR, and BCZ in the training, technical assessment and perhaps monitoring offers some positive impacts. It is understood, however, that given the budget limitations of state agencies (i.e. salaries not paid, transport not provided), it will be hard for state agencies to continue ongoing monitoring in the project for the functioning of the WASH committee, or the GFS, or sanitation technologies. There is some scope for ongoing monitoring through *Village Assaini*, but even UNICEF is currently struggling with how to keep state agencies accountable for maintaining the status of *Assaini* villages once they are accredited. (The incentive system for government applies only once the villages reach this status.)
- Tearfund project activities can be considered to be increasing the capacity of the state, in that its institutional support is allowing the WASH-related state agencies to exist (BCZ, SNHR). Tearfund can therefore be considered as contributing to a very basic

²¹ The official role of the *chef de groupement* (in his own words) is to facilitate actors in meeting the local development needs in the community; the *chef* is not democratically elected, but the role is passed down within a group of prominent local families.

aspect of allowing the state to be present at all by contributing to salaries, equipment and office rental. The ability of the state to engage in WASH activities in villages beyond the presence of the Tearfund project, however, is limited, as the agency will then revert to the status quo of not having salaries paid, no transport to visit sites, and no equipment by which to undertake its functions. These are key issues that are recognised by the major donors intervening in the WASH sector, and are obviously unable to be addressed by Tearfund in limited interventions.

- The Tearfund project team has built project sustainability plans with the limitations of the capacity of the state in mind. The key institution to maintain sustainability is the village WASH committee, which will hold the tools, equipment and materials provided by Tearfund to undertake minor repairs. Officially, the project infrastructure is handed over to the SNHR, along with the materials/tools and responsibility for future oversight of the WASH committee. However, the tools/equipment are kept with the village WASH committee, in recognition that once Tearfund leaves and is not able to pay their *per diem* costs for visits to the villages, it will not be able to provide ongoing monitoring. The future role, and state budget, for SNHR needs to be decided at the national level, following the ratification of the Water Law and the Decentralisation Act.

Collaboration

- The project's engagement with the state, and the issues of bringing state/society together through project activities, were addressed above under discussion relating to state legitimacy and accountability.
- The project infrastructure and technology selected create an opportunity for – and in fact require – collaboration among the villages in the area. The scale of service delivery provided by the GFS, compared with the more commonly seen village-level spring catchment system/protected well, relies on the ability of villages to come together to operate and maintain the system that services thousands of households. The village WASH committee, responsible for the operation and maintenance of the entire system, is the key institution to enable collaboration among many residents and local leaders, and there are some concerns that past evidence of their inability to manage the system fairly could be repeated. Alternatively, the Tearfund intervention and training could provide the potential to reform the working of the WASH committee to be more accountable and equitable to users. This will only be able to be assessed post-Tearfund intervention.
- The project created opportunity for collaboration between local leaders, local elites (landlord) and NSPs (church adviser).
- It created opportunity for collaboration with state agencies, which will be more substantial if included as a *Village Assaini* project.

2.5 Effects and entry points for peace-building

The general limited access to improved water sources in Tongo is a result of the state failing to fulfil its responsibilities in providing this good (as evidenced by limited water coverage in stable provinces) not the conflict itself, although the conflict can cause specific problems (eg displacement, influx of IDPs).

Water is not a driver of armed violence, so while interventions might have the potential to address intra- and inter-community tensions related to water access and water management (see below), the local, national and regional conflict dynamics associated with armed violence in eastern DRC are beyond the scope of the interventions themselves. The intervention can bring together communities around the common goal of increasing their access to water and sanitation. Such benefits, while positive, do not necessarily contribute to peace-building, as will be discussed.

Tensions related to water and sanitation access in areas with WASH activities are often related to the intervention itself (see below). Here, we also highlight entry points and impacts of the project on inclusion – one of the five routes for PB and SB impact.

Local tensions / local conflict

Time did not allow for conflict analysis, but a local conflict analysis done by SFCG in other areas of North Kivu outlines many of the possible conflict issues in these areas, both related to and independent of the intervention. The table below details the conflicts related to aid interventions and those specific to WASH, as well as ways that these conflict risks can be mitigated.

Table 4: Conflicts related to WASH interventions and humanitarian responses

| Conflict | Responses |
|---|--|
| Conflicts related to humanitarian assistance (general) | |
| Conflicts linked to the selection of beneficiaries: <ul style="list-style-type: none"> Commonly related to how interventions were delivered. In areas with economic difficulties, everyone wanted to benefit from the project. | <ul style="list-style-type: none"> Strong sensitisation on the selection criteria. When selecting beneficiaries and intervention areas, take into account the connectors and dividers in the society. |
| <ul style="list-style-type: none"> Conflicts between members of committees created through the intervention and the local population. People resent the power of those in the committees. People suspect that members of the committee are paid and become jealous. | <ul style="list-style-type: none"> Communication on compensation given to the committee members. Involvement of the local population in selecting members. Communication on the process of selecting the committee. |
| Conflicts related to WASH sector | |
| Conflicts between populations close to water sources and those far from water sources: <ul style="list-style-type: none"> Populations far from water sources participate less in the community work on the sources. Populations close to sources do not like it when people from areas further away come to get water. Populations far from the source complain that they don't have access to the water. | Create a community work plan that respects the distances of people from the water source. For instance, those living far from the source could be encouraged to work but less than those living close. |
| Conflicts between people getting water from the water source: <ul style="list-style-type: none"> The order in which people get water causes disputes: some fill up several containers, which takes longer than others, and others think that they have the right to jump the queue. Often conflicts between: military and civilians, military wives and civilians, and children and adults. | Develop a 'Code of Conduct' that explains rights and how to respect the order in which people fill their containers. |
| Disputes linked to the payment of maintenance fees: <ul style="list-style-type: none"> Confusion about how much to pay, to whom and the use of the fees. | Develop and disseminate a protocol about the payments (how much to pay, to whom and what it is for). |

Source: Adapted from SFCG, 2012

The three categorises of local tensions around water and sanitation presented by SFCG are also represented in the Tearfund project site.

1. Exclusion/inclusion and ownership – issues between residents who are close to the source and those who are far away, including issues over who should be participating/contributing labour to keep the source clean and in good repair:

- Tensions unrelated to intervention: local resentment of the military wives who claimed first right of access to the water points, but did not participate in the cleaning/maintenance of the source; local resentment of the military camp in general over the fact that they used (and appropriated) a water tap, but did not contribute to the community labour for the project.

- Tensions caused by/related to intervention: tensions related to intervention are the ones related to who contributes community labour and tensions about ensuring equitable contribution. In the Tearfund project in Nyanzale, the community was paid to dig the trenches necessary for pipes, and in this Tongo project the labour is provided as the community's contribution. The Tongo residents know that payments were made in Nyanzale, and there have been tensions over their contribution.
- Tensions caused by/related to intervention (sanitation): who is using what latrine, who is cleaning it, who is using the resource without having contributed towards it (e.g. the many IDPs staying with host families but not participating in cleaning latrines; the church congregation using the latrines of nearby houses; drunk people using latrines from households); also, there is the issue of people living on rented land not being able to build latrines (which is potentially related to intervention, which stressed the importance of latrines). *The project did appear to reduce the tensions caused by the intervention by introducing keys for latrine doors, and spoke to the local pastor who raised and resolved the issue of the church congregation using nearby latrines without permission*

2. Equity of access, and fairness, at the source – who gets to take water first, who gets to take the most water:

- Independent of intervention, there were reported tensions between military and civilian wives. Military wives would typically claim first right of access, and require others to wait in line behind them.
- Inequality of access does not drive the conflict, but reflects existing power relations.

3. Management of the water point – WASH committees:

- Tensions over payment issues could potentially be reduced or exacerbated by the intervention; lack of communication and good management by the previous WASH committee. *Tearfund staff did not investigate the previous claims made around extortion/rents generated by the WASH committee from certain standpipes, and did not look into the power relations structuring the WASH committee, as they felt this would merely have highlighted grievances rather than resolve them. Furthermore, this was the power structure they had to work with – for better or worse – and highlighting past wrongs would have begun Tearfund's engagement on a negative footing; they relied on their cooperation and participation in the project.*

Independent of the intervention, discussion with community residents and local staff employed by Tearfund in Tongo identified numerous other tensions and conflict issues, some of which affected the WASH service delivery work:

- Tensions between civilians/military
- Sale of alcohol and effects of alcoholism in the community (violence, aggression)
- Land issues – conflicts over land ownership and squatter households
- Banditry/demobilised soldiers – prevalence of looting and theft in the village; everyone in the community knows who is doing this, but cannot speak out for fear of repercussions
- Marital conflict
- Debt

Ways the various conflicts affected the project:

- Project staff needed to be very sensitive in their community mobilisation, not pushing too hard (as when dealing with a demobilised soldier), and not being able to challenge

certain households or residents about not building a latrine or contributing to community labour.

- Military chiefs are difficult to involve in the project as local staff find it very difficult to 'tell' them anything and assert their authority relating to hygiene practices, good water management or sanitation. *This was partially addressed by having the military chief participate in the Water Safety Plan training workshop, as he then went back to the military camp to assert his authority and instruct military wives on how to practise good hygiene.*
- Households are to build latrines with their own labour and local materials, but were unable to go into the national park (where rebels have a presence) to collect local materials, as they could not pay the taxes that the military would demand (when accessing the road through the park which is patrolled by the military and used as a way to generate money from travellers).
- Tearfund was unable to implement the project when access to the area was cut off owing to conflict between rebel groups and military in the area.
- Many households are headed by widows who say they are unable to do anything by themselves, whether that be constructing their own household latrine or contributing labour to the project.

Ways the project affected these conflicts:

- The project does not provide evidence of affecting conflicts unrelated to water management (land issues, debt, banditry, military presence etc).
- There was no evidence of conflict around ethnic divisions in the community, as the dominant group was Hutu, with a very small minority of Tutsi and Hunde. However, the Tearfund staff did ensure that the WASH committee membership did include representatives from all ethnic groups, and the local staff hired by the project also came from all ethnic groups in the area.
- For local tensions related to water management, the project has deliberately included the military as a stakeholder group, inviting them to participate in key workshops and employing them as labour (with civilian status). It is too early to tell if this will yield benefits beyond the short term. (For example, there is frequent turnover of troops and, while this might ease tensions related to water access, it doesn't address other tensions and problems related to the military presence: drunkenness, unpredictable behaviour, extortion etc.)

It is important to note that *most of the tensions that the project managed are related to the intervention itself* (eg requirements over community labour, encouraging people to build latrines, introduction of the water resource) and to water management. While these might have links with tensions related to armed violence (eg civil/military tensions exist because the military is present due to the armed violence), they are not drivers of that conflict in and of themselves. The existence of local tensions, and the challenges of operating in a zone where there is violent conflict, emphasise the importance of a conflict-sensitive approach to any intervention.

Social cohesion

It can be argued that this project is bringing together different villages around water and therefore contributing to social cohesion (peace-building on a local scale), but there was no indication that there were previous tensions between/among these villages. Rather, there was just no reason to collaborate over water management (given that they could never have constructed such a system themselves). Residents in the villages have numerous examples of collective action in their own villages, such as building schools, working on/rehabilitating roads and constructing health clinics.

The project does, however, have the potential to introduce new tensions to the community. With the gravity-fed system, future problems will most likely affect the furthest village first and the closest village last, rather than everyone at once. Therefore, in addition to providing the opportunity for local leaders/elites to collect rents from the system (as was done previously), there is also the potential for partial breakdown of the system to cause tensions in the future if the WASH committee is not effective in mobilising collective action/resources to undertake the necessary repairs, and everyone is not seen as contributing to repairs for the 'public good'.

2.6 PPSSP case study in Mweso health zone, North Kivu

The PPSSP is a high-capacity national NGO that has been working on health, WASH services and gender in eastern DRC since 2002. PPSSP's WASH service delivery work in Mweso health zone, North Kivu, is implemented within Tearfund's country programme, and is financed through the same DFID and EU funding which finances the project in Tongo. PPSSP is also a key partner working with Tearfund in the DFID GPAF-funded programme, and also works directly with UNICEF to implement *Village Assaini*. PPSSP also has prior experience in implementing components of UNICEF's PEAR Plus programme in Ituri and in North Kivu.

In Kashuga, a town in Rutshuru territory, PPSSP has recently finished the installation of one GFS and numerous sanitation/hygiene activities at the household and institutional level (with water sources also constructed in other locations such as Bukama, Busumba and Rugarama). A field research visit was not possible as planned, due to the high levels of insecurity there following renewed violence in May 2012. The impact of PPSSP-implemented WASH service delivery on PB and SB is therefore discussed below based on feedback from PPSSP only. Discussions with the director of PPSSP in Goma were used specifically to identify aspects of PPSSP's implementation that might differ from Tearfund's own implementation, to highlight how the service delivery modality might differ in partner-implemented projects, and whether or not this could be presumed to have a different impact on PB or SB opportunities.

Box 6: PPSSP-implemented project in Mweso health zone

What: one gravity-fed water system, household sanitation, school/health clinic sanitation, public hygiene training, water source protection.

Who: PPSSP was the most visible actor in the project and in engagement with the communities for design, labour, installation, training of village committees and physical works. Village residents contributed labour and local materials. Village WASH committees are responsible for operation, maintenance (undertaking and financing) and management of the water supply systems. State health agencies at the provincial and health zone level (DPS and BCZ) have project MoUs with PPSSP and participate in the hygiene trainings on the basis of *per diem* payments but are not always available. Engagement with SNHR is limited, and coordination is based solely on PPSSP initiative and incentives provided.

How: The *Village Assaini* approach was adopted as programme design following implementation (similar to Tongo); [use of a conflict-sensitive programming approach](#).

Government engagement: PPSSP makes every possible and reasonable attempt to collaborate with state agencies for service delivery, and can't be said to be undermining state institutions. The visibility of the state seems to be somewhat increased, as health zone staff especially are involved in the project and supported with funds that allow them to exist. There is less visibility of SNHR, which only provides the necessary technical report to register the system in the national database. As with all other aid projects in DRC, participation of government actors requires payments – incentives or *per diems*.

Building state capacity: PPSSP identifies the local health zone and provincial health agency as the key to long-term sustainability for WASH services (rather than SNHR which has the actual mandate to manage village WASH committees but zero capacity). However, there are challenges in getting their consistent participation in the hygiene trainings: there is a danger that, following training, a particular staff member in the health department might leave the position (due to high turnover of health department staff), and there are problems related to an overall lack of accountability in the cases where health departments have resources but are just not doing their job.

State legitimacy and accountability: The project did provide an opportunity to improve the accountability of one state actor, to the degree to which it was able to prevent negative actions by state actors. Previously, the local public hygiene officer had fined households 500 Francs/month for not having proper sanitation facilities and a poor hygiene environment. These funds were pocketed, rather than being used to assist or mobilise households to improve their conditions. When PPSSP came to the village and worked with households through the CLTS approach, their sanitation improved and the local health officer was reportedly shamed by the contrast. He had had the responsibility and resources (fines) to help the households improve sanitation but now, without any input from him at all or any external subsidies, the households had improved themselves. This a positive achievement of the project. Yet, it should be noted that the local public hygiene officer is a typical agent of the state in DRC, whereby the lack of a salary promotes self-payment through any means, and these issues are structural. The change in behaviour of this one public hygiene officer will not transform health institutions without parallel top-down administrative reform.

Conflict issues: There are three ethnic groups in the village (Hutu, Tutsi, Hunde) who are sometimes in conflict and can be associated with different local militia (*mai-mai*) groups. PPSSP ensures that their local staff are recruited from each ethnic group, and relies on the participation of the local health zone staff to assist in recruitment as they know the ethnic origin of local residents better than PPSSP staff. There are also the usual military/civilian tensions, land conflicts and marital disputes present at most local levels. Local conflicts and tensions related to WASH services are similar to those identified by SFCG (Table 4).

Conflict-sensitive programming: PPSSP views a conflict-sensitive approach as crucial to the success of the project. During community entry, at the beginning of the project, PPSSP staff conduct a conflict mapping with local residents who are trained by PPSSP. This village committee then identifies local conflict issues, maps where they are more /less prevalent, and discusses which conflicts can prevent the project from progressing. They then collectively identify strategies for how to resolve/reduce the conflict issues *that are related to the project implementation*. One of the conflict issues in the project site related to tensions between military and civilians over access to water sources. Military wives claim right to access before civilian residents, but will not participate in the cleaning and maintaining of source. To address this issue, the village disaster risk reduction committee went to visit the military commander to discuss the problem. A solution was found, whereby the commander enforced the rule that military wives must participate in the collective cleaning and maintenance. PPSSP noted that this strategy would have to be implemented again if the military troops changed over, and the village committee would have to broach the subject with the new military commander. Another local conflict related to the WASH intervention was the selection process: what water sources were/were not selected for improvement, and which residents would therefore benefit. PPSSP's project had the budget to protect 30 sources, but there were more than 80 potential sources in the community. To mitigate conflict caused by the project, PPSSP organised a transparent source selection process. The technical assessment of the source was done together with local leaders and the health zone staff, and all local leaders were trained on the selection criteria (capacity of the source etc), so that everyone was aware of why some locations were selected and others were not.

Social cohesion: There were examples of ways in which the PPSSP project contributed to social cohesion and enabled collective action to provide WASH services, but without a baseline survey, we cannot prove that social cohesion was not present prior to PPSSP work. IRC's work on the Tuungane programme has highlighted the dangers of assuming too often that there is a lack of cohesion (see Box 5).

3 Case study 2 - Maniema

3.1 Context

Maniema province benefits from relative stability compared to its neighbours, North Kivu and South Kivu (with the exception of areas bordering these provinces). Stability, however, has not brought prosperity, and needs related to basic services and development are arguably no less significant in Maniema compared to unstable provinces. Maniema is often described as *enclavé* (isolated) because of the enormous logistical challenges of accessing many areas of the province. The limited infrastructure is a severe hindrance for promoting trade and other economic activities throughout the province, and for aid agencies seeking to support activities in areas that are not accessible from the provincial capital, Kindu. The combination of stability and chronic underdevelopment makes Maniema an ideal candidate for long-term engagement by aid agencies, but stable provinces in DRC have become 'aid orphans' as donors (both humanitarian and development) have disproportionately targeted conflict-affected provinces (North Kivu, South Kivu, Orientale, Katanga) and Kinshasa (in the case of development assistance). However, stable provinces can have nutrition and child-mortality indicators that are on a par with, and in some cases worse than, conflict-affected provinces.

Maniema has very low coverage of water and sanitation. Statistics on access vary: the 2010 Humanitarian Action Plan estimated water coverage at five per cent, whereas the 2010 MICS survey estimated it at 39 per cent. Tearfund's assessments in the potential intervention areas in Pangi and Kailo territories found coverage at only 1.2 per cent. Tearfund is in the initial stages of its WASH activities in Maniema and has not yet finalised the selection of villages to be included or begun implementing activities in communities. It is possible to consider in this case study Tearfund's planned activities, programming logic and engagement to date, as well as the views of people living in villages likely to be targeted, but not intervention itself as it has yet to be implemented.

3.2 Theory of change

Tearfund's project activities in Maniema are supported by DFID through the Global Poverty Action Fund (GPAF). The programme aims to improve access to water and sanitation and reinforce public messages in Pangi and Kailo health zones. Access will be improved through capturing springs, using a CLTS approach to promoting latrine construction and sensitisation on key health, water and sanitation practices. The intervention follows the government's *Village Assaini* approach, funded by UNICEF. As stated in the previous case study, the programme design places significant importance on involving government authorities from the very beginning of the intervention, to ensure eventual sustainability, and it has no objectives relating to peace-building. The intervention approach and implied theory of change are the same as in the previous section, and thus will not be discussed in detail here.

3.3 Service delivery modality: what, who, how, where

Tearfund is in the initial stages of its WASH programming in Maniema and has not yet begun implementation. Therefore, the following table considers the anticipated roles and activities which will take place within the government's *Village Assaini* approach (supported by UNICEF).

Table 5: Maniema WASH project service delivery modality

| WHAT | | WHO | | HOW |
|-----------------------------|---|--|---|---|
| | | NSPs | Government actors | |
| Rural water supply | Rural water supply: protected springs Water supply hardware to be fully subsidised 9 Villages | Tearfund - finance, project management, implementation Households: transport of materials and construction labour Village WASH committee: management, financing repairs, operation UNICEF: financing <i>Village Assaini</i> programme | SNHR de territoire - MoU with Tearfund - Tearfund provides <i>per diems</i> for their involvement and US\$ 700 for the year - technical assessment for spring capacity - registered system with government - officially responsible for WASH committee following Tearfund departure BCZ - MoU with Tearfund - US\$ 150/month and <i>per diems</i> from Tearfund - Médecin Chef de Zone (monitors the activities) - WASH Supervisor (works with NGO partners; including site selection and training) | <i>Village Assaini:</i> Partnership with government agencies (health, rural water department) under the national programme for rural water supply and sanitation (<i>Village Assaini</i>) Water-user fees to be collected by village-level WASH committees No conflict analysis conducted |
| Household sanitation | Household latrines | Household - finance and construction Tearfund - supervision | BCZ will be involved | Combination of CLTS with <i>Village Assaini</i> Zero-subsidy approach |
| Hygiene education | Sensitisation on hygiene and water safety | Tearfund - training | BCZ will be involved: Community Mobiliser (conducts sensitisation activities in communities) | |

3.4 Effects and entry points for state-building

Capacity and authority of the state

The *Village Assaini* approach is a government programme that involves both INGOs and the government (Division Provinciale de Santé, SNHR and BCZ). As with the North Kivu example, this programme will offer opportunities to build the capacities of technical state agencies. Some employees will benefit from trainings related to the *Assaini* approach and be involved in technical monitoring. Tearfund provides financial resources to these government services that will enable them to perform their basic functions through the life of the project and play a role in the interventions (eg travel costs, *per diems* and even money for office rental in the case of SNHR). These technical services receive very little financial support from the government, often rely on NGOs to perform their functions and overall have very limited capacity (eg there are only two SNHR offices in the entire province). Tearfund's engagement with these services, far from undermining them, supports them financially in a way that the central government does not, and through the *Assaini* framework which itself has been elaborated (at least in part)

by the government, with support from UNICEF. Any gains in capacity to perform their functions will likely only last as long as the project intervention, and gains in technical capacity that benefit the government will be lost if the individuals involved leave.

The collaboration between Tearfund and government technical services is a double-edged sword. While it increases the capacity of the state technical services, the technical services involved may try to exploit this support. One of the clauses included in the Memorandum of Understanding with SNHR states that Tearfund will only pay *per diems* for SNHR visits to field sites when SNHR have been asked by Tearfund to go, out of concerns that otherwise SNHR will undertake unnecessary monitoring visits in order to claim *per diems*. SNHR asked for more than the \$700 for which Tearfund had budgeted. The relationship is one whereby programme staff try to avoid being taken for a ride and the staff of the involved state technical agencies try to get as much financial support as possible from Tearfund. (In other words, it has parallels to the predatory relationship between the state and its citizens.)

Legitimacy/accountability

Accessing clean water is a priority issue in the communities in the intervention areas: they are using river water and unprotected springs that animals contaminate by bathing and defecating. However, citizens expect little from the government to help them and do not hold them accountable for not meeting these needs. As a man in Tomenga described: 'We do not depend on the government. The government does nothing. We prefer the NGOs. You see the state of the roads... The government sees this and does nothing.' The local chief of Odimba described the responsibility of providing clean water as falling first to him, but if he can't resolve them, then the state should be responsible in ensuring the availability of clean water. He has described the needs facing the village, including the need for an improved water source, to a provincial deputy who have passed through the village, with no results. The theoretical responsibility of the government to provide these services means little in the face of years of inaction on development needs in their areas, and the communities see little likelihood of a sudden change in capacity, willingness and action on the development front.

Nor do communities expect that NGOs will intervene. Community members in Odimba village described how a local NGO had told them that they would rehabilitate the water source, and asked them to contribute by bringing materials such as sand to the source. The NGO never fulfilled its promise, and some community members in one village also expressed frustration by the multiple visits that aid agencies undertake with no concrete results at the end (including our research visit). Despite these negative experiences, these villages have had interventions by NGOs in the past, and community members still overwhelmingly prefer that NGOs intervene and do not expect or prefer that the state will do so instead.

The involvement of the government in the intervention will increase its visibility in the targeted villages as employees from SNHR and BCZ will perform monitoring activities, technical assessments and be involved in sensitisation in areas where they have previously not been active. However, Tearfund will be the most visible actor and will be constructing the improved water sources. Because of the limited involvement of the government and the many factors that contribute to the population's perceptions of the government (eg years of inaction, unmet electoral promises, abuses by civil and military authorities), it would be unrealistic to presume that the minor visibility of the government in the intervention will have much impact on increasing state authority and legitimacy.

3.5 Entry points for peace-building

One key difference is that the intervention areas in Pangi and Kailo territories are stable: they faced dire consequences related to the Second Congo War (1998–2003) but have not been affected by major armed violence since that time. With the war nearly a decade in the past, peace-building is arguably less of a priority compared to areas recently or currently affected by conflict. There is also already evidence of collective action. In Odimba, the chief's wife organises a monthly cleaning of the spring. In Tomenga, villages do small repairs on the road.

The years that have passed since the conflict and evidence of collective action and social cohesion suggest that there are no obvious entry-points for peace-building.

However, like any area of the DRC, there may be local tensions related to governance, land, access to resources, intra-household tensions (e.g. alcoholism, spousal conflict) and abuses by civil and military authorities, and local conflict dynamics can affect and be affected by the intervention. Moreover, the intervention itself might create tensions related to the role of water committees or other potential conflicts identified in Table 4 (the SFCG table). Tearfund's intervention areas in Maniema are stable; nonetheless, understanding local power dynamics and adopting a conflict-sensitive approach will be important in ensuring the project does not create tensions within and among communities in the areas where they will be supporting access to clean water and improved sanitation. Thus, rather than considering potential contributions to peace-building, the focus should be on adopting a conflict-sensitive approach. Tearfund can learn from UNICEF's experience in adopting a conflict-sensitive approach to its PEAR Plus intervention (see Box 7).

Box 7: Lessons from UNICEF's PEAR Plus: the importance of conflict sensitivity

PEAR (Programme of Expanded Assistance to Returnees) Plus is a useful example of how an agency has explored the potential contributions of its basic services programming to peace-building and revised its approach and expectations. PEAR Plus is a multi-sector UNICEF programme, which aims to support durable solutions for returning IDPs in North Kivu, South Kivu, Katanga and Ituri through basic services (education, health and WASH) and child protection. When the stabilisation strategies were elaborated in 2009, UNICEF decided that PEAR Plus would be its contribution to stabilisation and that 'peace-building' would be a cross-cutting theme in the programme. UNICEF then engaged Search for Common Ground (SFCG) to determine the programme's likely impacts on peace-building.

SFCG found that the programme had not taken into account how it can mitigate or exacerbate conflict and that the intervention areas already had a low risk of conflict (Izzi and Kurz, 2009). These findings led to subsequent collaboration with Search for Common Ground so that the programme could include conflict analysis and a stronger peace-building component, rather than expecting 'peace dividends' to emerge organically from intervention. Principles underpinning the PEAR Plus intervention now include reinforcing community structures (eg related to health, education) and direct collaboration with the government and conflict sensitivity (and contributing to peace consolidation where possible).

An evaluation of PEAR Plus suggests the programme promoted social cohesion in the intervention areas in the following ways: providing equitable access to basic resources, strong participation by community members (reinforcing their sense of solidarity), transparent management of services and training local leaders (and thus reinforcing state capacity –lack of state capacity being a cause of the conflict). However, the sophisticated impact evaluation done by *Tuongane* (also done in conflict-affected areas) suggests that communities *might not necessarily have been lacking in social cohesion* and that committees created to manage resources are not necessarily more transparent than the pre-existing structures. Thus, while positive, there is also a reason for caution with such findings, and for concluding that these positive results make meaningful contributions to peace-building. Further, the evaluation's link between training individual leaders and social cohesion is weak.

Despite the need for caution about the findings on social cohesion, there are important lessons that Tearfund can use from UNICEF's experience. The first is the importance of conflict sensitivity in order to identify potential impacts on conflict (positive or negative). UNICEF began by looking for links between their multi-sectoral intervention and peace-building, without having considered conflict and peace-building in its project design. It has since made an impressive shift to considering local conflict dynamics – including those caused by the intervention itself – as well as possible 'bridges' and 'connectors' that might support peace-building. A second lesson is the limitations of using basic services programming to impact peace-building in DRC. PEAR Plus is a large, multi-sector intervention, and beyond its potential contributions to social cohesion, the evaluation discusses no other potential avenues for peace-building. A third lesson is the need to ensure that policy ambitions and expectations are not divorced from field realities. The 'push' for stabilisation in DRC initially motivated UNICEF to look for contributions to peace-building from existing programming; by refocusing the programme design to incorporate analysis of local conflict, the programme is now based on more realistic expectations about how it can affect local conflict dynamics.

4 Recommendations and conclusions

4.1 Routes and limitations to PB and SB impact in DRC

Chapter 2 set out the implications for peace-building and state-building through WASH service delivery programmes. General assessments of international efforts on state-building and peace-building in DRC are that they have fallen far short, owing to both the enormity of the challenges and international actors' limited understanding of precisely what they were dealing with. A pessimistic interpretation might suggest that challenge of corruption and political predation renders futile the more small-scale efforts and contributions from NGOs such as Tearfund. A more optimistic view is that, even amid such challenges, there are opportunities. Here we review the potential routes to PB and SB in DRC for Tearfund, based on the evidence of the two research sites presented in Chapters 3–4.

Table 6: Potential routes for influence on peace-building and state-building seen in Tearfund WASH service delivery project sites

| Potential routes for influence on peace-building and state-building | |
|--|---|
| 1 | Opportunity: the ability for citizens to participate in the economic, social and political activities of 'normal' life |
| | <i>Conditioning context: WASH services are extremely limited in rural areas, contributing to the spread of diseases (cholera, diarrhoeal, malaria), and other barriers for citizens' participation in economic and social activities.</i> Tearfund's WASH intervention increases the ability of citizens to participate in the activities of 'normal' life insofar as it improves public health. |
| 2 | Visibility: presence of the institutions, including the state, and infrastructure associated with stable societies |
| a | <i>Conditioning context: Main visibility is NSPs (particularly INGOs) rather than the state for rural WASH services.</i> Potential route for positive impact , particularly in the <i>Village Assaini</i> projects where the local government is more engaged (ie not in Tongo or Kashuga). |
| b | <i>Conditioning context: State presence is viewed as negative experience, associated with the military and the police, as well as taxation by non-security personnel.</i> Potential route for positive impact , as Tearfund's intervention has the potential to improve perceptions of the state, in that it allows a positive (or at least neutral) experience of state engagement. |
| 3 | Collaboration: processes for joint-working between state and society, or within society, which can reinforce cohesion |
| a | <i>Conditioning context: Government agency staff for WASH are not paid salaries, or provided with resources required to engage and collaborate with NSPs or residents (transport, equipment). Every interaction requires a payment for their presence and, beyond payments, staff are not motivated, or simply unable, to engage.</i> To the degree that Tearfund's financial support of the rural WASH agencies (DPS, BCZ, SNHR) allows them to exist (salary, office rent), the intervention is enabling the potential for collaboration. Involvement of BCZ and SNHR in the project implementation – although still minimal in most sites – is a route to positive impact on increasing collaboration. This was noted most in the PPSSP-implemented project. |
| b | <i>Conditioning context: High levels of existing collective action: history of communities 'taking care' of their water needs (given absence of state), alongside provision of roads, schools, health clinics.</i> Potential route for positive impact , if Tearfund focuses on strengthening local village institutions who are key to ensuring sustainability of the WASH services. |
| 4 | Inclusion: involvement of all in political, social and economic life and the levelling of inequalities which lead to grievance |
| a | <i>Conditioning context: NSPs concentrate rural WASH programmes in conflict-affected locations despite large levels of need in other provinces.</i> Tearfund's work in Maniema is a positive step to addressing needs outside of Kivu's but overall this is very small compared to overall WASH spending in Kivu as compared with overall WASH spending in Maniema. |
| b | <i>Conditioning context: Military vs. civilian access to water supply in rural areas a tension</i> Tearfund and PPSSP interventions indicate a positive impact in reducing tensions between military and civilians around WASH services. |

| | |
|----------|---|
| c | <p><i>Conditioning context:</i> Majority of state budgets for all sectors stay in Kinshasa; for WASH, only one per cent spent in eastern areas.</p> <p>Tearfund, and other NSPs in the east, assist in service provision for areas of the country under-funded by government, but coverage through NSPs still only addresses a small fraction of total need.</p> |
| 5 | Accountability: responsiveness to citizens' needs and implies a two-way dialogue rather than a top-down process |
| a | <p><i>Conditioning context:</i> Little or no accountability links between government, no incentives or penalties for poor performance.</p> |
| b | <p>Addressing government accountability is not a potential route for impact for Tearfund.</p> <p>Addressing accountability within local WASH committees is a potential route, while noting that local power dynamics will be represented within the committee, and they are not always equitable or democratic.</p> |
| 6 | Peace-building: addressing causes of armed conflict and/or role of local conflicts within wider conflict dynamics |
| a | <p><i>Conditioning context:</i> Limited attention of the international community to local conflicts.</p> <p>Potential route for impact, if Tearfund includes a local conflict component in WASH interventions (conflict analysis and social cohesion, modelled on PEAR Plus).</p> |
| b | <p><i>Conditioning context:</i> Persistence of conflict highlights needs to consider conflict dynamics in programming.</p> <p>Positive route for impact if Tearfund adopts a conflict-sensitive approach to WASH interventions.</p> |

4.2 Implications for peace-building and state-building

The case study sites in North Kivu and Maniema highlight the enormous difficulty in making links between WASH service provision and PB for two reasons. First, WASH interventions are unlikely to have positive impacts on drivers of armed violence: national and regional conflict drivers are vastly outside the realm of influence of local WASH interventions. Even closer local conflict drivers (eg those related to land, power) are also outside of this sphere. Secondly, while the interventions can contribute to positive sentiments in the community and bring people together around common interests, this does not equate to peace-building, because social cohesion is not necessarily a pre-existing problem and because actions that bring people together are not automatically reinforcing peace. Peace and security are already the top priority and desire of people who have been affected by conflict for more than a decade. Equally, positive sentiments generated by the intervention could unravel if there are problems that arise related to the provision of water (eg related to maintenance fees, committees, who has access, etc), which are common in such interventions.

Actions to support peace-building in DRC require interventions designed specifically for this purpose, rather than ambitions for such objectives to emerge organically through the provision of basic services /WASH. The Tearfund country programme in DRC recognises this reality, and we reiterate that the projects in Tongo and Maniema did not expect 'peace dividends' from the intervention, as they were not designed to do so. Similar issues arise when considering potential opportunities to contribute to state-building. Tearfund is currently making every possible and realistic effort to involve government agencies and support the legitimacy and authority of the state (engaging relevant authorities, not bypassing state institutions). However, as other projects by donors in DRC have documented the difficulty of achieving this (eg Merlin), actions to support state-building in DRC require interventions designed specifically for this purpose and face significant challenges due to the recent history of 'the state' in DRC – whereby those in power have primarily used it to serve their own purposes rather than the common good. Furthermore, people's perceptions of the state are based on their life-long experience of it, and in DRC there is substantial frustration about how the government has fallen far short in providing roads, basic services and even security for its citizens. There is some potential for a positive impact of Tearfund project activities on state-building, in that the current expectations of, and attitude towards, the state in DRC are so very low. The same is true for the capacity of government officials – with such limited capacity and resources to do their jobs, any contribution will increase the existing capacity of state technical agencies, even if only over the short term.

Many actors in DRC have spent years on state-building and peace-building interventions and strategies. They have come up against numerous challenges related to the complexity of

conflict dynamics and the fundamental lack of political will for change, both of which have limited their impact. Thus, it is important not to expect such impacts from interventions that are not specifically designed for the purpose of peace-building and state-building.

4.3 Implications for programming

As presented in the previous section, the goal of maximising the impact of existing Tearfund WASH service delivery programmes, as they are currently designed, on peace-building and state-building in DRC comes up against a set of challenges regarding the nature of the state and the nature of the conflict.

Support for peace-building requires interventions designed specifically for this purpose. If Tearfund were to choose to use peace-building as its starting point, this would have implications for the project design, selection of the sites and personnel. Currently, Tearfund's interventions in WASH are designed for a different and important primary objective related to development and humanitarian needs: WASH interventions have crucial impacts on health and well-being and arguably save lives, given that diarrhoeal diseases are a cause of mortality and morbidity in eastern DRC.

If Tearfund chose to orient its WASH programming towards peace-building, the trade-offs would need to be recognised. For example, the choice of intervention areas, which is currently based on WASH needs, would need to be geared towards targeting areas where tensions/local conflict are present which WASH interventions might be able to address – specifically those areas where the 'bridges' and 'connections' between WASH and the drivers of local, regional or national conflict do exist (though as discussed above, positive sentiments could unravel if the benefits of the intervention cease for any reason). Tearfund could invest in expertise on peace-building within its operational teams in the field or enable them to access this expertise through agencies such as Search for Common Ground, although this would then have implications for budgeting and human resources. However, we do caution that weak, or absent, links between WASH and drivers of conflict in many areas will limit the peace-building impacts. Increasing focus on building the resilience of local communities to external negative shocks related to the conflict (such as negative ethnic sentiments) through building social cohesion and strengthening governance might be a more productive avenue for Tearfund to explore.

In addition, Tearfund could strengthen the implementation of a robust and comprehensive conflict-sensitive approach to understand the negative and positive impacts of the intervention on local-level conflicts and tensions. Tearfund WASH service delivery projects, as they are designed, should focus on conflict sensitivity, because conflict dynamics do affect the project and vice versa. While conflict dynamics are not likely to exacerbate drivers of armed violence, they do affect equity of access and sustainability. Consideration of power dynamics and local conflict and how WASH service delivery interventions interact with these should be institutionalised within Tearfund operations in conflict-affected countries, rather than being implemented on the basis of savvy local staff and on an *ad hoc* basis that can be sidelined as project implementation timelines become tight.

There are different tools that Tearfund can use in order to support this analysis. An important approach is Do No Harm, a framework developed by Mary Anderson in 1999, which has influenced many subsequent frameworks. While the phrase has evolved into a synonym for 'don't have negative impacts', in fact the origin of the Do No Harm framework is precisely related to understanding how interventions can exacerbate conflict or contribute to conflict mitigation. Do No Harm is based on the premise that aid can cause harm or can strengthen peace capacities in the midst of conflicted communities, and that careful analysis is needed of the context of conflict and the aid programme, examining how aid interacts with the conflict, and that there should be a willingness to create options and redesign programmes to improve its quality. DFID noted in a 2010 practice paper briefing that 'Anderson's Do No Harm framework remains valuable for DFID partners operating in insecure environments. The

concepts of dividers and connectors have been particularly useful, and are used by many international NGOs to analyse and adapt their interventions' (DFID, 2010) (see Annex 3).

Related to state-building, we have highlighted the potential positive contributions of Tearfund programming on improving the very negative perception of the state, but we caution that this is very likely to be limited to the duration of project intervention. It is important to continue to make appropriate linkages with the state, as well as recognising the motivations and limitations of state actors, which can positively and negatively impact programming (ie the state actors rely on NGOs such as Tearfund to generate revenue and often try to exploit this relationship). Moving payment to government agencies towards a performance-based approach, as UNICEF is experimenting with, could begin to shift accountability of the government from being focused on Tearfund, on to the development of local communities.

In summary, the analysis points to the following key implications for Tearfund projects:

- One project will likely not be able to (nor should) impact peace-building or state-building across all five routes. The appropriate route for impact will be determined by the context analysis, indicating for example where it is beneficial to increase state visibility (or why not), or how legitimacy, collaboration, inclusion or opportunity might be addressed within the intervention modality.
- The legitimacy and authority of government needs to exist prior to addressing issues of accountability. Engaging with state actors in WASH service delivery projects in ways that increase their legitimacy in local development efforts, as through *Village Assaini*, is one example, as is providing government agencies with the opportunity to show positive examples of action for local residents.
- Tearfund should ensure that the standard of conflict sensitivity is applied for all operational programmes, considering local conflict/power dynamics and the impact of the project intervention on these and vice versa.
- It should also seek to apply the Do No Harm framework – to identify possible 'bridges' and 'connectors' between WASH service delivery and conflict dynamics that might support peace-building where possible.

In the process, Tearfund and its partners can learn from PPSSP and the approach it uses in Tearfund WASH projects; ensure coordination and regular meetings with local partners focus not only on technical issues but also on the social/political/conflict dimensions. They can also learn from PEAR Plus programme experiences: include conflict analysis and a stronger peace-building component in the programme design for WASH service delivery interventions.

- Any WASH programming in the DRC should include principles of reinforcing community structures (e.g. related to health, education, WASH), within project design and activities. Communities are key for ongoing sustainability of interventions given the capacity and incentives of the state in DRC, and strong local structures have the potential to increase local resilience to negative impact of conflict dynamics on delivery of local services and social cohesion. Learning from the CCMP model is relevant here.
- Tearfund should continue its approach of engaging with relevant state actors and not bypassing state institutions, including implementing *Village Assaini*, as it works through state actors, has the highest potential for sustainability as longer-term support through UNICEF, and works with the state sector considered to have the highest level of presence (health).
- In general, it is also important to recognise that there is limited room for individual aid agencies to address the vast capacity gaps in the absence of political will and administrative reform. Supporting local institutions with credibility to conduct advocacy (such as Tearfund did for drafting the new Water Law) and initiatives that support

administrative reform of the sector will then allow development partners to invest in the longer-term capacity of government partners in the sector.

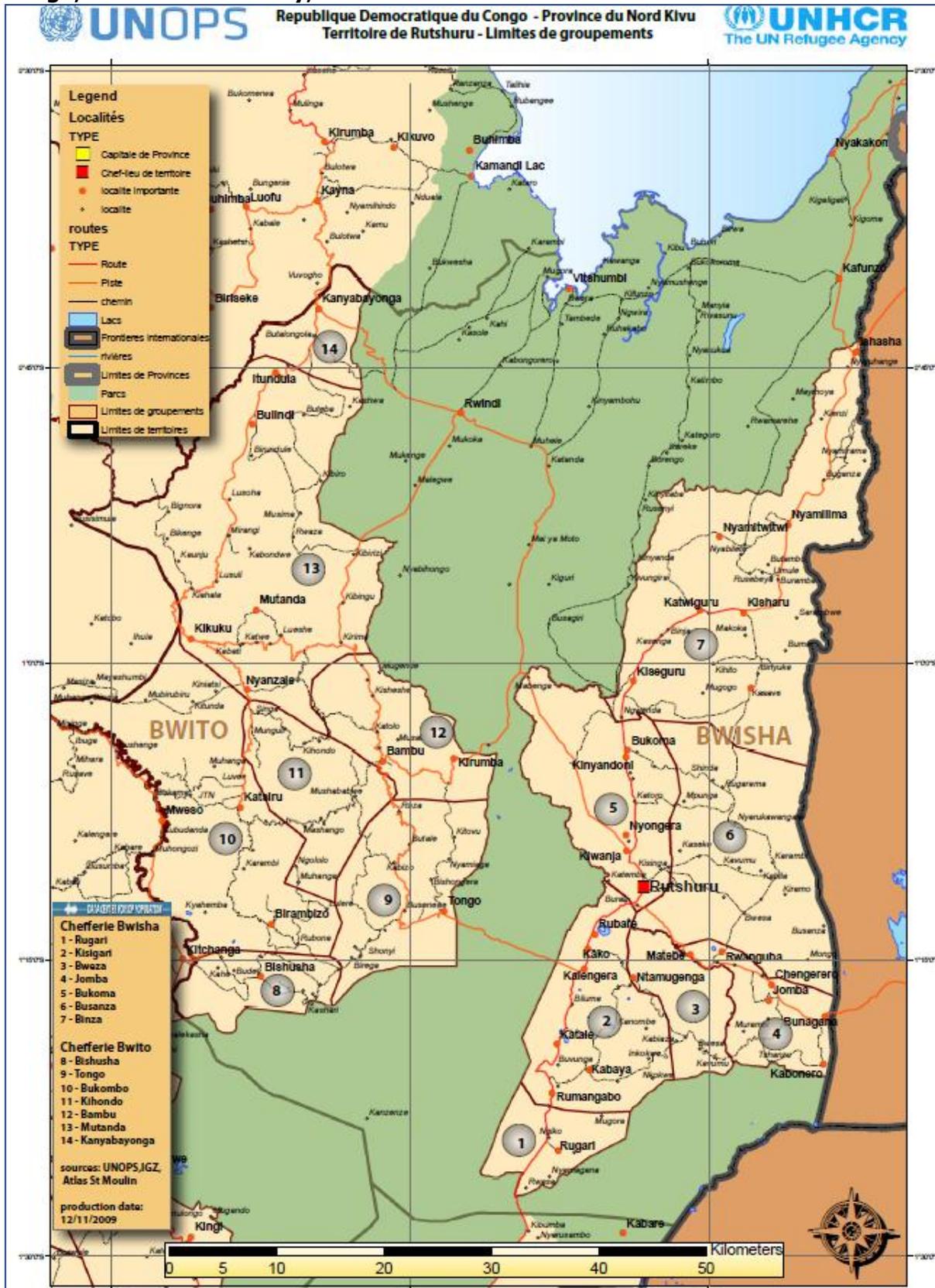
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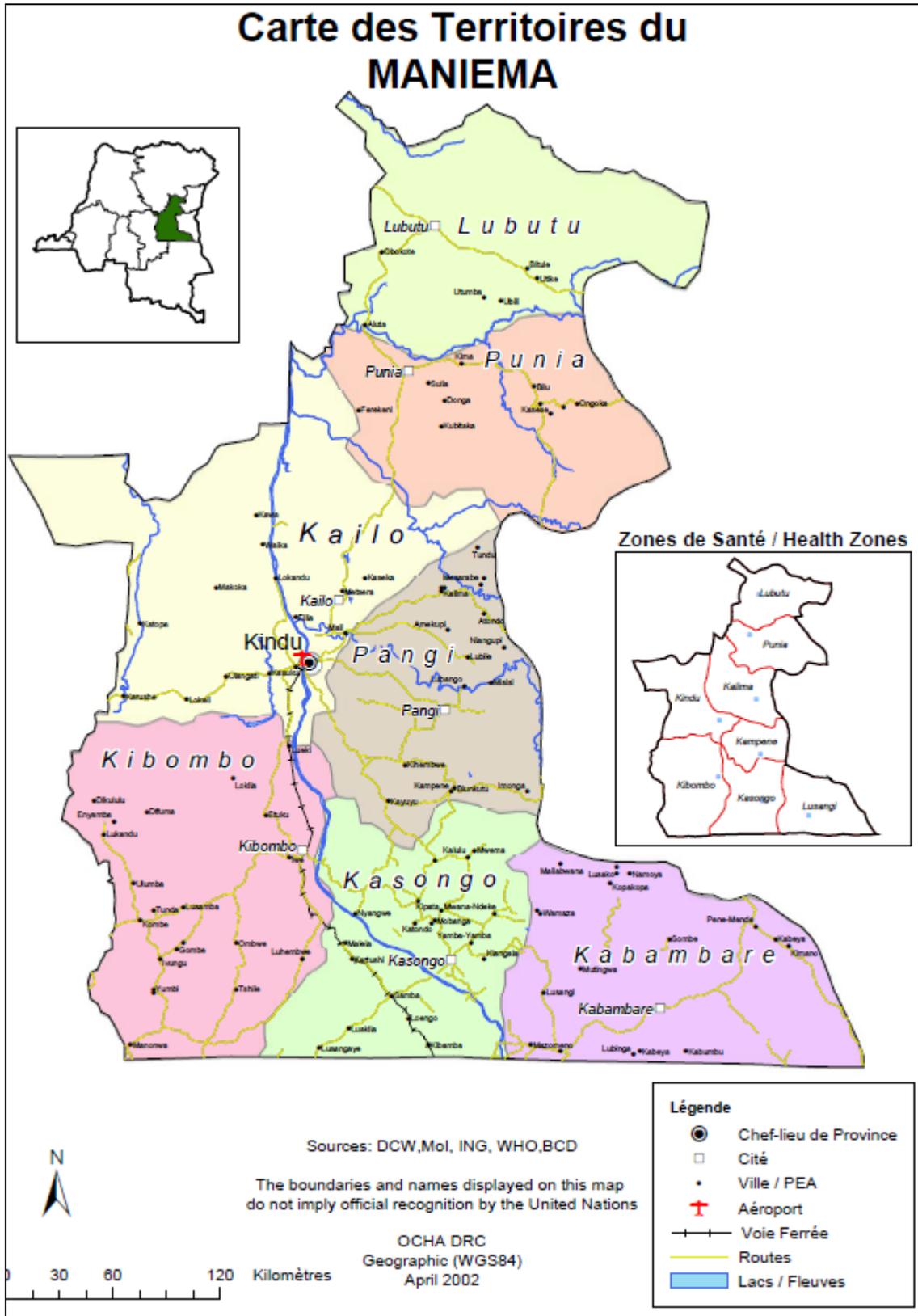
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Annex 1 - Map of Tearfund project locations

Tongo, Rutshuru Territory, North Kivu





Annex 2: Tearfund project summary

Title: Capacity Building to Improve Humanitarian Action in the Water, Sanitation and Hygiene (WASH) Sector

Date: September 2007

Countries: Liberia, Democratic Republic of Congo (DRC), Afghanistan, Darfur (Sudan), South Sudan, Myanmar and Haiti.

Progress: The WASH project is currently operational in Darfur (Sudan), South Sudan, Myanmar and Haiti. The project is in its closing stages in DRC and Afghanistan, and activities finished in Liberia at the end of 2009.

Project goal: Sustainable improvements in the health and well-being of communities in up to seven programmes in complex political and disaster-affected environments.

Project purpose: Increased capacity of Tearfund Operations, local Partners, and local government services to support seven programmes of improved access to potable water, sanitation, and public health education for grassroots communities, within a five-year period.

Project outputs:

Increased quality of WASH service delivery (good practice, gender, conflict- and HIV-sensitive, accountable to beneficiaries, and environmentally sustainable) in up to seven Tearfund operational programmes, and up to 12 associated partner projects.

Capacity building intervention implemented to increase the quality of PHE service delivery of local government and civil society health institutions within each operational area.

Low cost, sustainable, innovative and contextualised alternatives for WASH researched and piloted and implemented.

Improved policy environment and service provision at local and national levels, through increased advocacy by Tearfund and partners on WASH issues at local, national and international levels.

Lessons learnt, captured and disseminated to local and international NGOs and donors on good practice service delivery specific to water & sanitation interventions in fragile states and disaster-affected environments.

Annex 3 Do No Harm framework

The Do No Harm is a framework developed in the late 1990s to help the field staff of international aid agencies to better understand their working contexts and to develop programming approaches that support peace and do not exacerbate conflict. Many subsequent frameworks have drawn from its basic premises. There are various analytical frameworks and tools that Tearfund can draw upon to ensure a conflict-sensitive approach that considers the potential for aid to support peace or war. Do No Harm is one of them and we are not recommending it over others that might be equally appropriate for Tearfund. Tools are also available from Search for Common Ground that can assist agencies in undertaking conflict-sensitive programming, including local-level conflicts that do not necessarily lead to violence but that could impact programming and vice versa (which are not considered in the Do No Harm framework). This Annex provides information on the Do No Harm framework quoted directly from *Options for Aid in Conflict: Lessons from Field Experience* (Anderson, 2000), which summarised the findings presented in the book *Do No Harm: How Aid Supports Peace - Or War* (Mary B. Anderson, Lynne Rienner Publishers, Boulder Colorado, and London, 1999). In that book, the framework is presented as a three-step process. The experience of the implementation projects had suggested that this should be expanded to six steps, which are all presented in *Options for Aid in Conflict: Lessons from Field Experience*.

The Do No Harm analytical framework was developed from the programming experience of many aid workers. It provides a tool for mapping the interactions of aid and conflict and can be used to plan, monitor and evaluate both humanitarian and development assistance programmes. The framework is not prescriptive. It is a descriptive tool that: 1) identifies the categories of information that have been found through experience to be important for understanding how aid affects conflict; 2) organises these categories and highlights their actual and potential relationships; and 3) helps us predict the impacts of different programming decisions. There are six steps:

Step 1: Understanding the Context of Conflict

Step one involves identifying which conflicts are dangerous in terms of their destructiveness or violence. Every society has groups with different interests and identities that contend with other groups. However, many – even most – of these differences do not erupt into violence and, therefore, are not relevant for Do No Harm analysis. Do No Harm is useful for understanding the impacts of aid programmes on the socio/political schisms that cause, or have the potential to cause, destruction or violence between groups.

Step 2: Analysing DIVIDERS and TENSIONS

Once the important schisms in society have been identified, the next step is to analyse what divides the groups. Some DIVIDERS or sources of TENSION between groups may be rooted in deep-seated, historical injustice (root causes) while others may be recent, short-lived or manipulated by subgroup leaders (proximate causes). They may arise from many sources including economic relations, geography, demography, politics or religion. Some may be entirely internal to a society; others may be promoted by outside powers. Understanding what divides people is critical to understanding, subsequently, how our aid programmes feed into, or lessen, these forces.

Step 3: Analysing CONNECTORS and LOCAL CAPACITIES FOR PEACE

The third step is analysis of how people, although they are divided by conflict, remain also connected across sub-group lines. The Local Capacities for Peace Project (LCPP) found that in every society in conflict, people who are divided by some things remain connected by others. Markets, infrastructure, common experiences, historical events, symbols, shared attitudes, formal and informal associations, all of these continue to provide continuity with non-war life and with former colleagues and co-workers now alienated through conflict. Similarly, LCPP found that all societies have individuals and institutions whose task it is to maintain intergroup

peace. These include justice systems (when they work), police forces, elders groups, school teachers or clergy and other respected and trusted figures. In warfare, these 'LOCAL CAPACITIES FOR PEACE' are not adequate to prevent violence. Yet, in conflict-prone, active-conflict and post-conflict situations they continue to exist and offer one avenue for rebuilding non-war relations. To assess the impacts of aid programmes on conflict, it is important to identify and understand CONNECTORS and LCPs.

Step 4: Analysing the Aid Programme

Step four of the Do No Harm framework involves a thorough review of all aspects of the aid programme. Where and why is aid offered, who are the staff (external and internal), how were they hired, who are the intended recipients of assistance, by what criteria are they included, what is provided, who decides, how is aid delivered, warehoused, distributed?

Step 5: Analysing the Aid Programme's Impact on DIVIDERS and CONNECTORS

Step five is analysis of the interactions of each aspect of the aid programme with the existing DIVIDERS/TENSIONS and CONNECTORS/LCPs. We ask: Who gains and who loses (or who does not gain) from our aid? Do these groups overlap with the DIVISIONS we identified as potentially or actually destructive? Are we supporting military activities or civilian structures? Are we missing or ignoring opportunities to reinforce CONNECTORS? Are we inadvertently undermining or weakening LCPs? Each aspect of programming should be reviewed for its actual and potential impacts on D/Ts and C/LCPs.

Step 6: Considering (and Choosing) Programming Options

Finally, if our analysis of 1) the context of conflict; 2) DIVIDERS and TENSIONS; 3) CONNECTORS and LOCAL CAPACITIES FOR PEACE; and 4) our aid programme shows that our aid exacerbates intergroup DIVIDERS, then we must think about how to provide the same programme in a way that eliminates its negative, conflict-worsening impacts. If we find that we have overlooked local peace capacities or CONNECTORS, then we should redesign our programming not to miss this opportunity to support peace. Once we have selected a better programming option, it is important to re-check the impacts of our new approach on the DIVIDERS and CONNECTORS.