

**PROCEEDINGS OF
CHRISTIAN RELIEF AND DEVELOPMENT ASSOCIATION (CRDA)
MEMBERSHIP AND NETWORK DEVELOPMENT CORE TEAM
Water and Sanitation Forum**

PANEL DISCUSSION

ON

**THE IMPLICATION OF THE CHARITIES & SOCIETIES LEGISLATION ON THE OPERATIONS OF
THE WATSAN SECTOR ACTOR CSOs**

MAY 11, 2009

CRDA CONFERENCE HALL

ADDIS ABABA
TABLE OF CONTENTS

Pages	
Acronyms	i
INTRODUCTION	
Welcoming Address	
Opening Remark	
PRESENTATIONS	
The Possible Impact of the Legislation on the WAT-SAN Sector Actors from CSOs Perspective	
The Contributions of CSOs and Possible impact of Legislation on the WAT-SAN Sector Actors from Government Sector Actor Perspective	
Plenary	
Annexes	
Workshop Program	
List of Participants	

ACRONYMS

AfDB	African Development Bank
BoFED	Bureau of Finance and Economic Development
BPR	Business Process Reengineering
CBO	Community Based Organization
CFTs	Community Facilitator Team
CRDA	Christian Development and Relief Association
CSO	Civil Society Organizations
DAG	Donor Assistance Group
DFID	Department for international development
DP	Donor Partner
FBO	Faith Based Organizations
IDA	International Development Association
IGA	Income Generating Activities
IWRM	Integrated Water Resource Management
LNGO	Local Non Governmental Organization
MDNCT	Membership Development and Networking Core Team

M&E	Monitoring and Evaluation
MOFED	Ministry of Finance and Economic Development
MOJ	Ministry of Justice
NGO	Non Governmental Organization
NSC	National Steering Committee
NTC	National Technical Committee
NWT	National Wash Team
PMU	Project Management Unit
RBA	Right Based Approach
RSC	Regional Strain Committee
RTC	Regional Technical Committee
RWH	Rain water Harvesting
RWSSP	Rural Water Supply and Sanitation Program
UAP	Universal Access Program
WASH	Water Sanitation and Hygiene
WG	Working Group
WSDP	Water Sector Development Program

1. INTRODUCTION

1.1 Opening and Welcoming Address

Dear WSF member Organizations,

Ladies and Gentleman,

It is my pleasure to make this opening remark in this special occasion on behalf of Ato Regassa Aboma, Director of The membership Development and Networking Core team

As you know the Ethiopian Government has drafted the new Charities and societies law which is thought to or may affect the functioning of the CSOs operating in the country.

CRDA has continuously been lobbying the government for the reconsideration of some of some of the articles in the law. However the Government has showed its limited interest to reconsider those articles.

At this junction, it is of paramount importance to deliberate on this contemporary issue to take pre-emptive measures before the promulgation of the law

With this in mind the water and sanitation forum has organized a half day panel discussion to deliberate on the major issue that may influence the operation of CSOs working in the WASH sector.

The panel discussion is a good opportunity to create awareness to member organization on the draft law and its implication on their entity and operation. In addition to that you will be deliberating on the adjustment mechanisms that help organizations to sustainably pursue their operation with the new Law.

It is my belief that you will give life to the panel discussion with your active participation and deliberation.

Finally wishing you a fruitful deliberation I declare the opening of the panel discussion.

2 PRESENTATIONS

2.1 The Possible Impact of the New Charities and Societies legislation on the Water and Sanitation Sector with Major Focus on Lobbying and Advocacy and Coping mechanism *Presented by Ato Addise Amado*

CRDA is an umbrella organization for 351 member agencies and the first legally registered association of NGOs/CSOs. A study conducted on 127 member organizations that include 60% Local Secular, 22% International Secular, 18% Faith based reveals that 96% of them receive more than 10% of their fund from foreign financial sources. Similarly, 91% say they will be affected by the CSP in different levels and degrees. Their coping mechanisms are not clearly sorted out. More than 38 % (29/127) engaged in WASH interventions (this will be higher if irrigation, water shed management, gender, health and others are sorted out)

Intention/motive behind the new CSP

The legislation was an important development because among others it addresses the inadequacy of the existing legal regimes to ensure the realization of citizens' rights and contributes towards the prevention of illegal acts, and facilitates the role of Civil Society Organizations.

The Charities and Societies Proclamation categorizes CSOs into Ethiopian Charities or Ethiopian Societies – that use not more than 10% of their funds from foreign sources, Ethiopian Residents Charities or Societies- that receive more than 10% of their funds from foreign sources, Foreign Charities-that receive funds from foreign sources and others such as Mass-Based Societies, professional, youth, women associations, etc.

The proclamation in its categorization and characterization of CSOs lists such charities as Charitable Endowment, Charitable Institution, Charitable Trust, and Charitable Society. It recognizes such **Societies as** Ethiopian Mass-Based Organizations and others.

Is WASH advocacy and lobby possible?

Yes!

This is possible if and when the organizations are registered as Ethiopian Charities/Societies and do not receive more than 10% from foreign sources. Likewise, if advocacy/lobbying activity is developmental and collaborative policy dialogue among stakeholders, it may be possible to improve the WASH sector performance in this direction. As WASH is a crosscutting sector intervention, developmental/collaborative advocacy is still a possibility as there will be no “advancement” and improvement in the WASH sector

No!

In the strictest sense of confrontational advocacy that may touch on the restricted areas of interventions that may include Right based WASH interventions, gender issues, vulnerable groups’ approaches; WASH legalization aspects which require care and sensitivity and which are under the restricted areas of interventions listed under Article 14/(2) of the proclamation. Therefore, it is crucial to learn how to live with the disease and abide by the doctor’s prescriptions.

CSP and FDRE International Commitments/Agreements

WASH Sector status quo reveals high level interest on CSO involvement and advocacy engagement by donors and stakeholders. During the CSP dialogue process, donor governments and international partners have attempted to influence the process but ended in deadlock from the Ethiopian government. Examples of current commitments and advocacy engagements may include EUWI CD/MSF- as Ethiopia is one of the successful pilot countries in Africa for having a WASH MSF, AU/AMCOW -Sharm El Sheikh Commitments by African Heads of States on their 11th Ordinary Session to engage CSOs, the eThekweni commitments on sanitation by African ministers responsible for water and sanitation /AfricaSan 2008 resolutions and action plan, etc. However, all these commitments cannot be realized only by service delivery without advocacy.

Non advocacy provisions, advocacy restrictions, financing and income generating activities, discretionary agency powers and supervision, transparency and accountability are among the major provisions of the CSP that can influence the entity of CSOs working in the WASH sub-sector.

The major advocacy and lobbying issues: WSF perspectives

- ☞ **Advocate and follow up the incorporation of the policy gaps identified on Integrated Water Resource Management (IWRM) and Rain water Harvesting (RWH)**

Advocate and lobby for more effective and efficient resource allocation and utilization in the WASH sub sector and conduct independent assessment (shadow report) on WASH program

implementation/UAP progress in selected Woredas and disseminate it to relevant stakeholders

- ☞ **Intensify evidence based advocacy work on gender, HIV/AIDS and pro-poor strategies to reach out disadvantaged and marginalized groups.**

- ☞ **Advocate for greater accountability in the WASH sector**

Advocate for more reliable and consistent coverage and access data owned by all stakeholders in all appropriate forums and networks
Influence and contribute to national M&E framework development process which could address critical data and ownership challenges. Make a quick assessment on reliability of coverage and access data in the WASH sub sector (variations on parameters and reporting system)

- ☞ **Advocate for greater public voice at all levels of M&E and data collection including the national level M&E framework**

Lobby for the incorporation of proper access and coverage data calculation, parameters and dissemination of data. Advocate for WATSAN Committee legalization and share the progress for relevant stakeholders. Monitor the progress of regional legislation formulation, passing and implementation

The Major Advocacy/Lobbying Controversies

In view of the restricted areas of interventions except Ethiopian Charities and societies others cannot engage in activities listed under Article 14:2 such as Right based WASH interventions, gender equality issues in the sector, voices of the vulnerable groups the disabled, children, WASH

conflict resolution, WASHCOM legalization, and any other purposes as might be prescribed by the directives of the agency.

Some of the effects of the CSP on development cooperation of the country with the international community can be seen from the perspective of shrinking motivation and interest of actors, reductions in funds and resources, pulling out from involvement in WASH emergencies, discouragement of emerging CSOs and new partners, etc.

Strategies of the WASH sector/ Coping Mechanisms

General Directions

- ☞ Learning to live with the CSPs ,its regulations and directives:”accepting” the CSP despite differences
- ☞ Taking adjustment measures as entities/individual member organizations and consortiums/CRDA
- ☞ Training staff and adapting to the new environment
- ☞ Quality WASH services delivery

Advocacy focused

- ☞ Overall understanding of the CSP and its implications
- ☞ Special emphasis to the restricted areas of interventions
- ☞ Maintaining existing advocacy and engagement areas with the government
- ☞ Focusing on collaborative WASH advocacy/promotion activities

WASH specific Coping Mechanisms

- ☞ Exercising WASH advocacy research on the WSF advocacy action plan versus restricted areas-article 14/(2)-(j)right based approaches; (k)gender; (l)vulnerable groups; (m)conflict resolutions
- ☞ Continue updating on the preparation and implementation process of the CSP and its regulations/directives through learning and sharing.
- ☞ Maintaining the existing WASH advocacy opportunities with care and caution-WSF advocacy/lobbying action plan
- ☞ Creating other mechanisms with the CSP practices and agency behaviors on registration and supervision process
- ☞ Attempting to discover overt and covert motives amid the implementation procedures

Opportunities created by the CSP for the WASH sector?

As a result of the Charities and Societies Proclamation, CSOs have got chance to be part of the CSP process and debate under the CRDA leadership but with little influence. While the Proclamation is issued, the Council of Ministers has drafted a regulation for the administration and registration of Charities and Societies. The Directives by the Agency is expected on the fine details such as formats and templates. The government is calling for more service delivery interventions.

Impacts on CSOs in the EASH sub-sector

An impact on the quality of service delivery (for example hygiene and sanitation may be less well integrated with water supply), responses to emergency WASH may be less effective, important current initiatives will

be weaker without the participation and experience of NGOs- PIM, M&E, MSF, reduced sector financing, service quality may be affected

Issues and concerns

The nature of the proclamation is such that the level of fund raising issue determines status of category and purpose of intervention. The restricted areas of interventions and the 30% administration/overhead versus 70% project cost analysis, the high discretionary powers of the Agency and the Civil Code awareness level of CSO members, issues related to Income Generating Activities and public resource collection are serious areas of concern for Charities and Societies in the sector.

2.2 National WASH Program Institutional Arrangement & Activities Presented by Ato Abiti Getaneh

Key Elements of Policies

The Ethiopian water policy is a comprehensive and integrated document that combines the national water sector development strategy which is a long term water Sector development program & regulations with the Universal Access Plan (UAP). The National WASH Program is designed to implement the National Policy, Strategy, Water Sector Development Program (WSDP) and Universal Access Plan (UAP), The International Development Association IDA-financed Water Supply and Sanitation Project will contribute to financing the Program, as will the African Development Bank Rural water supply and sanitation program (RWSSP) investment and those of Department for international development (DFID), UNICEF and Finland.

Ethiopian Water Resources Management Policy

The overall goal of the Ethiopian Water Resources Management Policy is geared towards enhancing and promoting all national efforts towards the efficient, equitable and optimum utilization of the available Water Resources for significant socioeconomic development on sustainable basis.

The policy objectives may include, but not limited to the development of the water resources for economic and social benefits of the people, on equitable and sustainable basis, allocation and apportionment of water based on comprehensive and integrated plans and optimum allocation principles that incorporate efficiency of use, equity of access, &

sustainability of the resource, and managing and combating drought as well as other associated slow on-set disasters through, inter-alia, efficient allocation, redistribution, transfer, storage and efficient use of water resources, etc.

Policy on Setoral Issues

While water Supply and Sanitation, irrigation & hydropower constitute the main sectoral issues; POLICY ON CROSS-CUTTING ISSUES considers water allocation and apportionment, technology and engineering, environment, watershed management, water resources protection and conservation, water resources management information systems, economics of water, etc.

Water Supply and Sanitation Policy

The term Water Supply includes water supply for human as well as animal consumption, industrial and other uses outside irrigation and hydropower. The overall objective of water supply and sanitation policy is to enhance the well-being & productivity of the people. The provision of, sustainable and sufficient water supply services to the people, satisfying water supply requirements for livestock and industries, creating sustainable capacity building, and enhancing the well being and productivity of the people by creating conducive environment for the promotion of appropriate sanitation services are some of the detail objectives of the water and sanitation policy.

With respect to stakeholders issues the policy ensures the identification of the relevant stakeholders from the outset in any water resources undertakings and create conducive situation for their involvement in the different water resource management activities. It creates forums for

discussion & consultation amongst the various stakeholders and promotes private sector participation in technology development, construction, and in operation & management of utilities

The National WASH program aims to increase access to sustainable water supply and sanitation services, for rural and urban users, through improved capacity of stakeholders in the sector. This objective will be addressed through major components as rural water supply sanitation and hygiene, urban water supply, sanitation & hygiene, and program support incorporating both capacity building and investment interventions.

WASH Implementation Arrangement

The project implementation arrangements reflect the policy objectives of decentralization to the lowest possible level and the involvement of all stakeholders in the process. It allows integration of sanitation with improvements to water supply and recognizes water as an economic as well as social good.

Demand Responsive, sustainability, equity, empowerment of communities, cost recovery and the right to access, integrated approach, transparency, and participatory monitoring and evaluation are some of the basic principles in the implementation arrangement.

Oromia, Amhara, Southern Nations Nationalities and Peoples Region, Tigray, Somalia and Afar are the regions where urban water supply coverage is made under the Universal Access Plan.

Expected Financial Sources to Achieve Rural UAP

I/No.	Investment Source	Investment Ethiopian (UA)	in Birr	Investment in USD(UA)
A	(New schemes + Rehabilitation)			
1	World Bank	460,321,611		52,910,530
2	African development bank	556,800,000		64,000,000
3	Netherlands Govt. through UNICEF	870,000,000		100,000,000
4	UNICEF	130,500,000		15,000,000
5	UNDP	34,104,000		3,920,000
6	FINNIDA	84,564,000		9,720,000
7	JICA	88,827,000		10,210,000
8	NGOs	1,050,000,000		120,689,655
9	Allocated by the Government	324,241,170		37,269,100
10	Expected to be allocated by the government and donors	1,075,758,830		123,650,440
10	Community Contribution	993,552,053		114,201,385
11	Gap (to be filled by the government and support giving organizations)	3,086,550,406		354,775,909
	Total (Including community contribution)	8,755,219,070		1,006,347,019
B	Sanitation			
	Hygiene Education	1,166,153,819		134,040,669
	For the provision of sanplats through revolving fund	669,433,876		76,946,423
	Grand Total	10,590,806,765		1,217,334,111

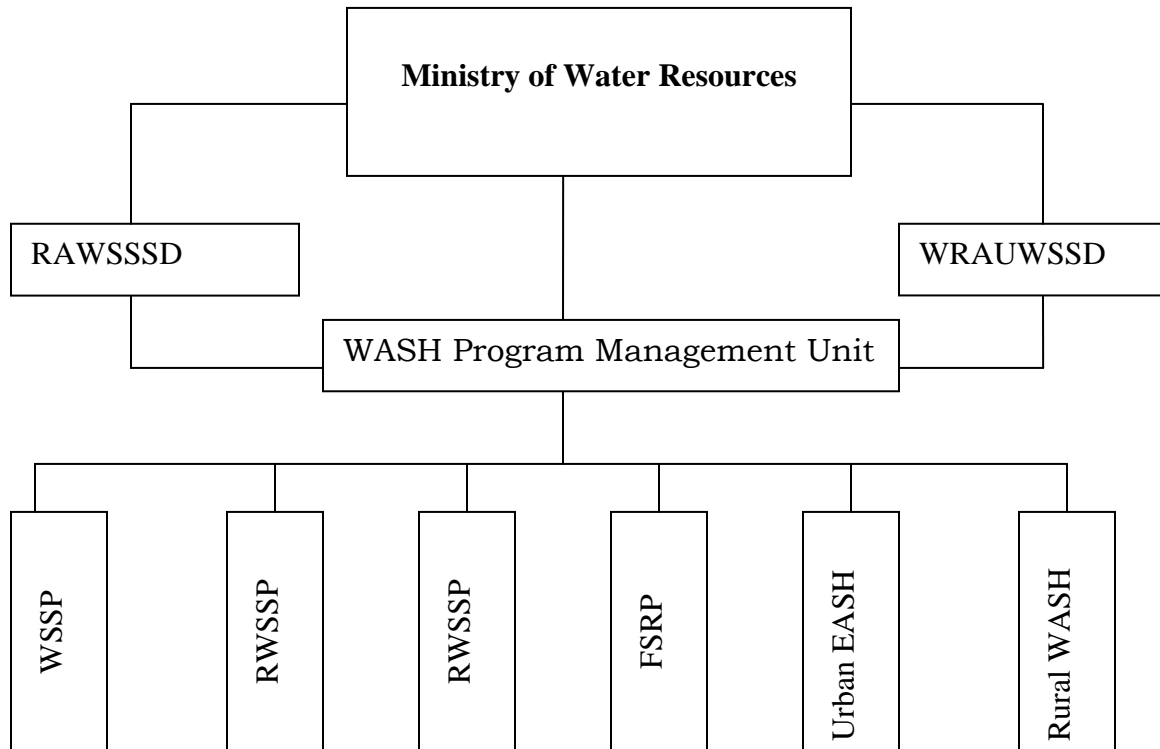
Progress towards achieving the principal outcome will be measured through increase in population with access to improved water supply in rural and urban project areas, the number of effective woreda water and sanitation programs established through the project, and number of effective, autonomous water boards established through the project in town/urban areas.

WASH Institutional Arrangement

While the structural arrangement at the federal level has the national Water and Sanitation coordination office, the regions have their

respective WASH coordination offices. The woredas on the other hand have their own town water and sanitation committees.

The structure in the Ministry of Water Resources



Role of the Project Management Unit (PMU)

The PMU ensures that Regional PMUs, Woreda water Offices and Town Water Boards have the directions, information, systems, skills and resources necessary to carry out their WASH mandate and achieve expected program results in the context of their sector plan.

The PMU Responsibilities:

- ☞ Ensures that the WASH-related inputs and activities of the ministry, is effectively implemented and integrated into the WASH program at all levels
- ☞ Prepares Annual N-PMU Action Plan and budget
- ☞ Manages N-PMU budget and procurement plan
- ☞ Submits quarterly physical and financial reports to MoFED/NWTT and Department Head - with replenishment requests.
- ☞ Contributes to the preparation (by NWCO) and analysis of consolidated Inventory and M&E reports

The PMU also contributes to preparation (by NWCO) of consolidated National WASH plans and budgets, builds linkages with and among the Regions - sharing information, progress reports and best practices, and demonstrates and fosters the integration and harmonization of the WASH program

Regional WASH PMU

The regional WASH program Management Units have a responsibility to ensure that the town water boards and woreda sector offices have the directions, information, systems, skills and resources necessary to carry out their WASH mandate and achieve expected program results in the context of their sector plan.

They are also responsible to ensure that the WASH-related inputs and activities of their respective Bureaus are effectively integrated into WASH program at the regional, town, woreda and community levels, to prepare Annual R-PMU Action Plan and budget. Moreover, the regional PMUs

among others manage their budget and procurement plan, submit quarterly physical and financial report to BoFED/RWTTand Department Head - with replenishment requests, and contribute to the preparation (by RWCO) and analysis of consolidated Regional Inventory and M&E reports.

Woreda WASH Team (WWT)

The woreda WASH teams on the other hand coordinate the input of Sector Offices to WASH implementation; Support the day-to-day management of the Woreda WASH program and are accountable for the achievement of expected results.

They are responsible to prepare WASH plans and budgets – strategic and annual - for Cabinet review and Woreda Council approval, to prepare WASH quarterly and annual reports- physical, financial, M&E - for Cabinet review. The WWTs contract/ utilize services of Woreda Support Groups, train, equip, deploy and supervise Health Extension Workers, and implement annual WASH Inventory as well as review and prioritize Kebele WASH Plans.

The Kebele WASH Team

The Kebele WASH Team is responsible for planning and managing the Annual WASH Inventory, sharing and analyzing data with the wider community, preparing and presenting an Annual WASH Plan to the Kebele Development Committee. It also facilitates the input of CFTs and other service providers and procures goods and services as may be required while reporting quarterly to the Kebele Development Committee and the Community.

WASHCOMs (sub-kebele WASH Committees)

These are responsible for planning WASH activities, mobilizing user resources – skills and funds, seeking technical assistance and/or financial assistance as may be required and managing schemes and facilities

Parties Involved at Community Level

Institutions	Roles and responsibilities
Community	<ul style="list-style-type: none">• Establish WASHCOM• Contribute in cash and kind to development of R-WASH system• Pay user fees to cover ongoing operations and maintenance
WASHCOMs	<ul style="list-style-type: none">• Plan and manage R-WASH system• Appoint and manage caretaker• Account to community for finances, operation and maintenance• Promote sanitation and hygiene, environmental protection
Caretakers	<ul style="list-style-type: none">• Take care of routine maintenance of the water system• Collect user fees and account for the funds
Region-based consultants	<ul style="list-style-type: none">• Work with communities to establish WASHCOMs, prepare Facilities & Management Plans, raise required contribution, supervise construction, provide training in community management and maintenance of water systems, sanitation and hygiene education, environmental protection,
Local service providers/ NGOs	<ul style="list-style-type: none">• Provide ongoing maintenance support• Supply pumps and spare parts• Promote household sanitation; construct school and household latrines

On going programs/projects under PMU

Program	Funding Agency	Urban	Rural	Expected Beneficiaries	Total cost (USD)
WSSP	IDA	>15,000=87 <15,000=58 Sub-loan 6 town	204 Woredas	>2 .5million	116 mil
WSSP	DFID	-	Same Woredas	>2.5million	140 mil
RWSSP	ADB	-	122 Woredas	2.4 million	64 mil
UWSSP	EIB/EC	15 towns	-	600,000	36,22mi
RWSSP	UNICF	-	120 Woredas	6 million	114 mil
FSRP	UNDP	-	30 Woredas	Build the capacity of the implementer	3 mil
UWSSP	IDA	4 secondary cities	-	800,000	32.95mi

PLENARY

Questions, Answers Comments

- ◇ The presence of the research and development department in the MOWR enables to identify the problems we face. However, the department does not undertake research itself, but offers call for papers to universities by soliciting financial resources.
- ◇ For next years we have received some 80 proposals from individuals and institutions. This would be supported by 2.6 million financial resources. But later, the department would not continue as it is. Instead within 5-10 years the Ethiopian Water Resources Institution would be established. Members of the 5 teams that include three professional members, senior and junior researchers would engage in the problem identification process. Alongside this, knowledge management unit would be established. The whole exercise is to determine the kinds of research output and to decide on a technique on how to channel the research findings to the grassroots level. We will gather information from you and the community as what to do in the future and who should do it
- ◇ Under sector policy and strategy areas, I see many inviting points that require greater efforts. When the Universal Access Program was reviewed, making multifaceted and accelerated efforts was noted as important measure. In the face of the new Charities and Societies Proclamation many of whose provisions contradict the workings of the sector, is there any possibility during the in-house meetings for you to convey the difficulty the legislation poses upon the sector to your organization?

- ◆ I might have been new to the CSP but from the panel discussion I have lots of things which I will present to my organization whenever the opportunity is available.
- ◆ Alongside NGOs responsibilities of stakeholders are mentioned. But most of them are stated in terms of finance; hence, the focus was on the hardware aspect. The responsibility of those organizations engaged in capacity building is not well articulated. Within the purview of the proclamation what other contributions can be made?
- ◆ The focus is not only hardware, the way it is put here has some gaps otherwise capacity building is allowed (possible) and so is supply side advocacy. It must be a problem pertinent to the presentation, not the essence of the issue.
- ◆ Engagement of NGOs in capacity building is clearly stated in the policy document. As per the Proclamation 197/2000, the Water Resources Ministry had a lead role in implementing the proclamation. The policy gives wide latitude and allows engagement now the concern is to issue directives to see its implementation at the grassroots level. Here advocacy has enormous significance. Developmental advocacy is not prohibited. It is only a demand driven Rights Based Advocacy that poses difficulties, even so, it depends upon our interpretation
- ◆ In the former times, the NGO sector had very collaborative relationships with sector offices such as health, water, education, etc. They were well targeted and the government was effective in harnessing their potential. Now the old DPPC no longer exists, so

the agency and the CSO/NGO sector? Is there any dialogue where the sector offices could work in tandem with CSOs?

- ◆ Handing over all the rights pertinent to this proclamation to the agency could pose a problem. Before the right was decentralized and handed over to various sectors such as health, water, etc. if this is so, it would be seen as a development advocacy acceptable to the concerned sector offices. If the agency is given the monopoly discretionary power could influence interactions and interventions, had it been given to others (had it been shared, it would have been effective otherwise policies would be affected and so does the sector)
- ◆ I hope in the foreseeable future the promulgation of the law would introduce better ways of doing things. The proclamation does allow the involvement of sector offices and they even take part in the steering committee. This is an opportunity.
- ◆ DPPC has been abolished but all its responsibilities have been assumed by another body. As long as the policy is there what we encounter is only institutional challenge, not a policy one.
- ◆ The creation of multi-stakeholder forum made it possible for CSOs to be seen as important development partners. During the agreement process to implement the WASH process the CSO/NGO sector has played significant roles. The pressure exerted by CSO was effective
- ◆ In the presentation it has been noted that NGOs are expected to build household latrines, but the Protocol does not allow NGOs to do this. How do you see the contradictions?

- ◇ In terms of sanitation and hygiene the transfer of responsibility of building household latrines from NGOs to the Water Resources Ministry is something which I will be taking for my own consumption.
- ◇ In relation to NGOs and the role of providing access to household latrines, what we have as a direction is that every one has to create awareness and find space regarding household sanitation so that people will own it.
- ◇ If we work with the government to provide safe drinking water to the people, we would not face any problem whatsoever. But on the other hand, if we encourage people to take to the streets and demand their right to safe drinking water, it tantamount to inviting trouble upon ourselves. Hence, there are no policy level problems
- ◇ Under the WASH program theme it has been designed such that we will have one plan-one report. Everyone is responsible to implement. When themes were structured under multi-stakeholder forum, efforts were made to coordinate activities and achieve something valuable. The CSP as well as the Millennium Development Goals and the Universal Access Plan all aim at operating in coordinated manner and aligning efforts amongst stakeholders. Therefore, the CSP is not in contradiction with other plans or strategies.
- ◇ By 2012 the Universal Access Plan targets to achieve 98% coverage, however, because of the bottlenecks many of the funding agencies have began to pull out, so what measures has the Ministry taken in this respect? Can it really achieve its target?

- ◆ As to sources of fund for the Universal Access Program, there is no problem as such. The government has signed several agreements. It has borrowed 452 million USD from the World Bank, it receives grants from the African Development Bank, and it also receives money from the UN Agency, donation from UNICEF. It had multiple sources which it can make use of. The CSOs have demanded government to give them access to aid money. We have demanded the government to provide us with some money for capacity building purposes. It is up to us to convince the government in this regard. Bringing the government aboard might not be that difficult.

- ◆ It has financing institutions. Emphasis would be given to transparency, lobbying, and advocacy that are some of our intervention areas. We will engage and see how situations develop our activities in the areas of HIV/AIDS, gender related aspects, pro-poor and vulnerable group oriented interventions could be influenced by the Proclamation. In all areas, transparency is desired. We advocate for greater public voice at all levels.

- ◆ When we see the law there are things which it can adversely affect in doing analyses, it is critical to take note of the unwritten aspect of it. Coping mechanisms should be based on both the obvious and anticipated implications of the law; policies often receive a different understanding and interpretation by local level government bodies. Attempts being taken to convince may create negative attitudes of NGOs so it is important to take note of all the written and unwritten aspects of the law for the sake of analyses and we should do public awareness creation works. Strategies should take note of the lower level government reality into account.

- ◆ Concerning the motives, so far the overtly written ones with all their ambiguities are available. We do not know the hidden features of the legislation. The covert ones, their intentions are yet to be clarified by the regulations and directives. Personal encounters during supervision may explain something about the officials.

- ◆ Different research findings revealed that the Charities and societies Proclamation has implications on the CSO/NGO sector. This would have consequences on the MDGs, Universal Access Plan, on the International and regional commitments which the Ministry has signed. Therefore, in order to lessen the impact of the Charities and Societies Proclamation what measures are taken by your department?

- ◆ In fact the Ministry does not get affected by the CSP. The legislation would not have any considerable negative influence on the country's effort to realize the MDG or the Universal Access Plan. Currently, we do not have financial problems, there is a fund launched this year for the WASH program. The government solicits funds from international agencies. Therefore, it will undertake all the activities it anticipates to achieve including the MDGs, there is no let up to that end.

- ◆ When the Ethiopian Water Resources administration policy was formulated some two years back, attempts were made to make as comprehensive as possible. During the formulation of strategies too frequent dialogues were underway. The CSP may not be easily affected. The government has the mandate to create conducive environment and to monitor process

- ◇ With respect to advocacy, we have to register as Ethiopian Charities and societies otherwise; we need to carry out soft advocacy. If we engage in confrontational advocacy, then Article 14:2 specifies many intervention areas very sensitive to our organization such as rights of the disabled, gender, etc. Right based WASH interventions are difficult.
- ◇ The government in line with its promises made to international organizations should focus not only on service delivery but also in addressing the root causes of the problem. Otherwise, past problems would repeat themselves.
- ◇ As far as WASH is concerned, we might not face difficulties in implementing our projects unless we indulge in Right Based WASH interventions, gender equality, etc. As water is the most contested resources WASH engages in conflict resolution practices.
- ◇ With respect to international influence, the regulation adversely affects donor motivation. Coupled with the international crisis some partners are reluctant to avail fund unless we engage in improving service quality, sustainability and dialogue, and advocacy. Some threaten to withdraw from conflict prone areas and new partners may not come and join already established projects
- ◇ In fact, until we decide and go to re-registration and implementation process, we may encounter challenges. Conflict prone areas could be affected. It may weaken currently undertaken initiatives, if CSO dialogue and participation go down (reduce) it could drastically reduce sector finance.

- ◆ If these are some of the anticipated challenges, then in order to adjust let's learn how to live in the legal framework, set up a taskforce and preparing adjustment mechanism and advocate the tasks listed under 14:2. When directives are issued things would be much clearer, in the meantime it is crucial to maintain what we have now
- ◆ For better outcomes, let's consolidate collaborative approaches while avoiding confrontational engagements, update each other to achieve our ultimate goal, strengthen the venue and enhance participation of form members, work in tandem with the national steering committee, and strengthen the joint technical review.
- ◆ When re-registration and supervision come, everything becomes clear. Now we are reliant on suppositions. By then confusions would clear, anyhow it is an opportunity so let's continue the dialogue. The regulation and directives would clarify the ten percent issue, identify and state the restricted areas, and decide the 30-70% issue.
- ◆ Accounting, documentation, reporting are sensitive areas; hence, we have to improve transparency and accountability of our organizations. We have to avail documents as they may carry out unannounced investigations
- ◆ As the Agency is very powerful, it is important to be well versed with the penal code of the country
- ◆ Care has to be taken in handling Income Generating Activities and collecting public resources

- ◆ In fact, the forum might engage in various activities while taking care of the ambiguous provision of the proclamation
- ◆ The WSF was active participant in the national steering committee though the technical team is not operational. It has representations in it
- ◆ In order to highlight the contribution of the CSO sector we have to prepare and align ourselves, otherwise I do not expect them to take us to where we want to reach.
- ◆ We have to make use of the space, the available rooms out there. The sector is represented by two seats in the national steering committee and it also has representation in a team headed by the Minister. So opportunities are there, let's make use of them. We have chances to address issues of concern. We anticipate seeing working mechanisms set up that link various sector offices.

List of participants,

S.N.	Name of The participant	Organization
1	Zelalem Teshome	RISE
2	Kidanemariam Jembere	ECWP
3	Melkamu Jaleta	PWS
4	Chala Mengesha	OSHO
5	Adanech T/Mariam	
6	Guddisa Inta	IHA-UDP
7	Elias Fanta	HFHE
8	Endris Taha	EWNRA
9	Lemma Adnew	Tikuret for Gumuz peopale
10	Gulilat Birhane	WaterAid-Ethiopia
11	Abiti Getaneh	Ministry of Water Resource
12	Abraham Asmare	
13	Girma Asfaw	Care Ethiopia
14	Addisse Amado	EKHC
15	Kaleab Getaneh	Intermon Oxfam
16	Daniel Alemu	SSD
17	Ayichalim Goshu	CRDA
18	Teshome shibiru	CRDA

Program for a Panel Discussion of CRDA WSF on the Possible Implications of C&S law on the operation of WAT-SAN Sector Actor CSOs

Date: May 11, 2009

Venue: CRDA Conference Hall

S.N	Activities	Time table	Presenter	Facilitator
1	Registration	8:30-9:00	WSf Coordinator	
2	Welcoming and opening address	9:00-9:15	Regassa Aboma, Director, MDN Core Team	
3	The Possible Impact of the Legislation on the WAT-SAN Sector Actors from CSOs Perspective	9:15-9:35	Ato Ato Addisse Amado , EKHC	Ato Gulilat Birhane
4	Presentation on the impact of climate change on water resources and possible mitigation and adaptation measures	9:35-10:00	Ato Abiti Getaneh, MoWR	Ato Gulilat Birhane
5	Tea Break	10:00-10:15	The Organizer	Ato Gulilat Birhane
6	Discussion	11:15-12:00	Participants	
7	Way forward and Conclusion	12:00-12:15		Ato Gulilat Birhane
	CLOSURE	12:15		