

DRAFT Zambia:

Sanitation Policy and Planning Framework Case Study for Discussion

Table of Contents

Table of Contents	ii
Figures.....	ii
Tables.....	ii
Boxes.....	ii
Acronyms and Abbreviations	iii
About the case studies.....	1
1. Introduction.....	4
2. National institutional arrangements for sanitation in Zambia	4
3. Policy and planning framework for sanitation in Zambia	6
3.1. Constitution.....	6
3.2. Laws	6
3.3. Regulations and standards	7
3.4. National development plans	10
3.5. Policies	11
3.6. Plans and strategies	12
4. Looking ahead.....	15
References	16
Glossary.....	18

Figures

Figure 1. Overview of elements policy and planning frameworks.....	1
Figure 2: Overview of sanitation policy and planning frameworks in Zambia.....	3

Tables

Table 1. Supporting ministries and institutions with responsibilities in the Zambia sanitation sector (Country consultation 2018)	5
Table 2: Zambia service level standards for urban onsite and offsite sanitation (GRZ 2010a, p.66)	8
Table 3: Examples of new regulations covering aspects of the sanitation service chain	9
Table 4. Sanitation strategies and programmes as outlined by the 7NDP (GRZ 2017)	10

Boxes

Box 1: WHO Guidelines on Sanitation and Health	2
Box 2: NWASCO's regulatory tools (NWASCO 2019)	5
Box 3: Definition latrine accommodation in the Public Health Act Cap 295 of the Laws of Zambia	9

Acronyms and Abbreviations

7NDP	The 7 th National Development Plan
ASPG	Africa Sanitation Policy Guidelines
DTF	Devolution Trust Fund
FSM	Faecal sludge management
GLAAS	UN-Water Global Analysis and Assessment of Sanitation and Drinking-Water
GRZ	Government of the Republic of Zambia
MLG	Ministry of Local Government
MoGE	Ministry of General Education
MoH	Ministry of Health
MWDSEP	Ministry of Water Development, Sanitation and Environmental Protection
NUSS	National Urban and Peri-Urban Sanitation Strategy
NWASCO	National Water Supply and Sanitation Council
ODF	Open defecation free
SDG	Sustainable Development Goals
WASH	Water, Sanitation and Hygiene
WHO	World Health Organization
ZEMA	Zambia Environmental Management Agency

About the case studies

Globally, access to sanitation has fallen behind access to drinking-water. In the Millennium Development Goal (MDG) era, the target for drinking-water was met five years ahead of schedule. In contrast, the target for access to basic sanitation was not achieved, despite 2.1 billion people having gained access to improved sanitation during that time (United Nations 2018). Today, as countries work to achieve their own national targets and the Sustainable Development Goals (SDGs), there is increased demand for guidance on how best to establish a supportive enabling environment for sanitation through strong policies, plans and legal frameworks that will support and accelerate progress towards the SDG 6 targets on sanitation.

Considering this demand, the UN-Water Global Analysis and Assessment of Sanitation and Drinking-Water (GLAAS) has conducted case studies on sanitation policy and planning frameworks in the following seven countries: Bangladesh, Kenya, Mali, Nepal, Senegal, Uganda and Zambia. The objective of the case studies is to present evidence on the scope and content of sanitation frameworks, and specifically, to understand how and to what extent elements of SDG 6 and the WHO Guidelines on Sanitation and Health (Box 1) align with the frameworks. To do so, the case studies review existing sanitation policy and planning frameworks, presenting information on institutional arrangements, national development plans, laws, regulations and strategies, policies, plans and the inclusion of monitoring and financing in these policy and planning frameworks (Figure 1).

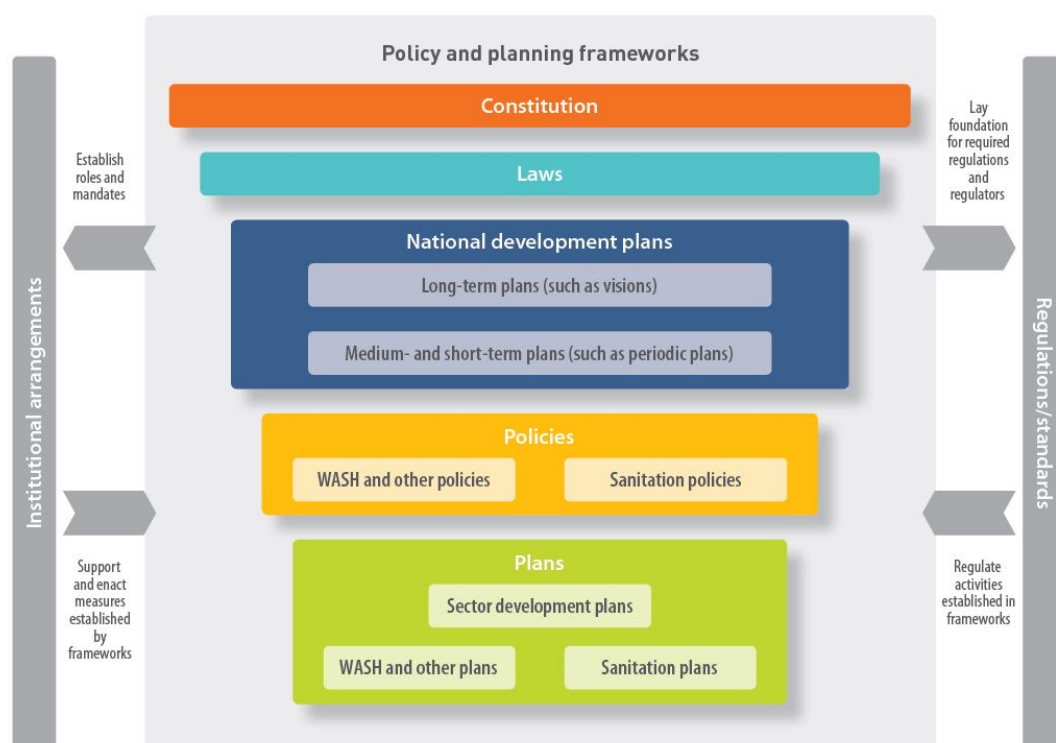


Figure 1. Overview of elements policy and planning frameworks

Key findings from the case studies have been incorporated into the GLAAS 2019 report, which is thematically focused on national policies, plans and targets for water, sanitation and hygiene (WASH). With this lens, the GLAAS 2019 report summarizes findings on WASH systems from 115 countries including aspects related to governance, monitoring, human resources and financing to the WASH sector.

The case studies are a source of evidence for the development of the Africa Sanitation Policy Guidelines (ASPG). The African Ministers' Council on Water is leading the development of the ASPG with support from the World Health Organization (WHO) through GLAAS and the Center for Water Security and Cooperation. The objective of the ASPG is to provide guidance to policy-makers and those supporting the policy-making process

in Africa on how to develop effective sanitation policies and what should be included in effective sanitation policies. To develop the ASPG, AMCOW has convened a task force comprised of sanitation and policy experts.

In addition to providing evidence to support the development of the ASPG, GLAAS is developing a policy assessment tool to track and assess the content of sanitation policies. The policy assessment tool will cover a number of key criteria that effective sanitation policies should include. To develop the key criteria, WHO will consult members of the ASPG task force as well as a broader range of stakeholders, including policy-makers and development partners in the seven case study countries. The policy assessment tool will incorporate elements of the ASPG and the WHO Guidelines on Sanitation and Health and can be used to monitor implementation of the ASPG and aspects of the WHO Guidelines on Sanitation and Health. The first iteration of the policy assessment tool is expected in 2020 and will be piloted in the seven case study countries with a plan to eventually scale up the tool globally.

This report presents the case study on sanitation policy and planning frameworks in Zambia. A schematic overview of the documents reviewed for this report is presented in **Error! Reference source not found.** and can be used as a reference point throughout the report. For the purposes of this case study, sanitation is defined as the safe management of human excreta and does not include wider environmental sanitation. Given this definition, this report does not present findings on frameworks related to solid waste management. In order to narrow the scope, this report presents findings from these frameworks through the lens of the SDG 6 and WHO Guidelines on Sanitation and Health, specifically focusing on types of sanitation services included in the frameworks, and how the frameworks address vulnerable populations, institutional WASH and public participation.

Box 1: WHO Guidelines on Sanitation and Health

In October 2018, WHO released the first-ever Guidelines on Sanitation and Health.¹ The guidelines were developed because sanitation programmes have not been achieving anticipated health gains and there was a lack of authoritative health-based guidance on sanitation. They set out four principal recommendations:

1. Sanitation interventions should ensure entire communities have access to toilets that safely contain excreta.
2. The full sanitation system should undergo local health risk assessments to protect individuals and communities from exposure to excreta – whether this be from unsafe toilets, leaking storage or inadequate treatment.
3. Sanitation should be integrated into regular local government-led planning and service provision to avert the higher costs associated with retrofitting sanitation and to ensure sustainability.
4. The health sector should invest more and play a coordinating role in sanitation planning to protect public health.

The guidelines are intended for use by national and local authorities responsible for the safety of sanitation systems and services including policy-makers, planners, implementers and those responsible for the development, implementation and monitoring of standards and regulations, including health authorities. The WHO Guidelines on Sanitation and Health will also support and strengthen the development of the ASPG.

¹ WHO (2018) WHO Guidelines on Sanitation and Health. World Health Organization, Geneva. Available at: https://www.who.int/water_sanitation_health/sanitation-waste/sanitation/sanitation-guidelines/en/ [Accessed 25 May 2019].

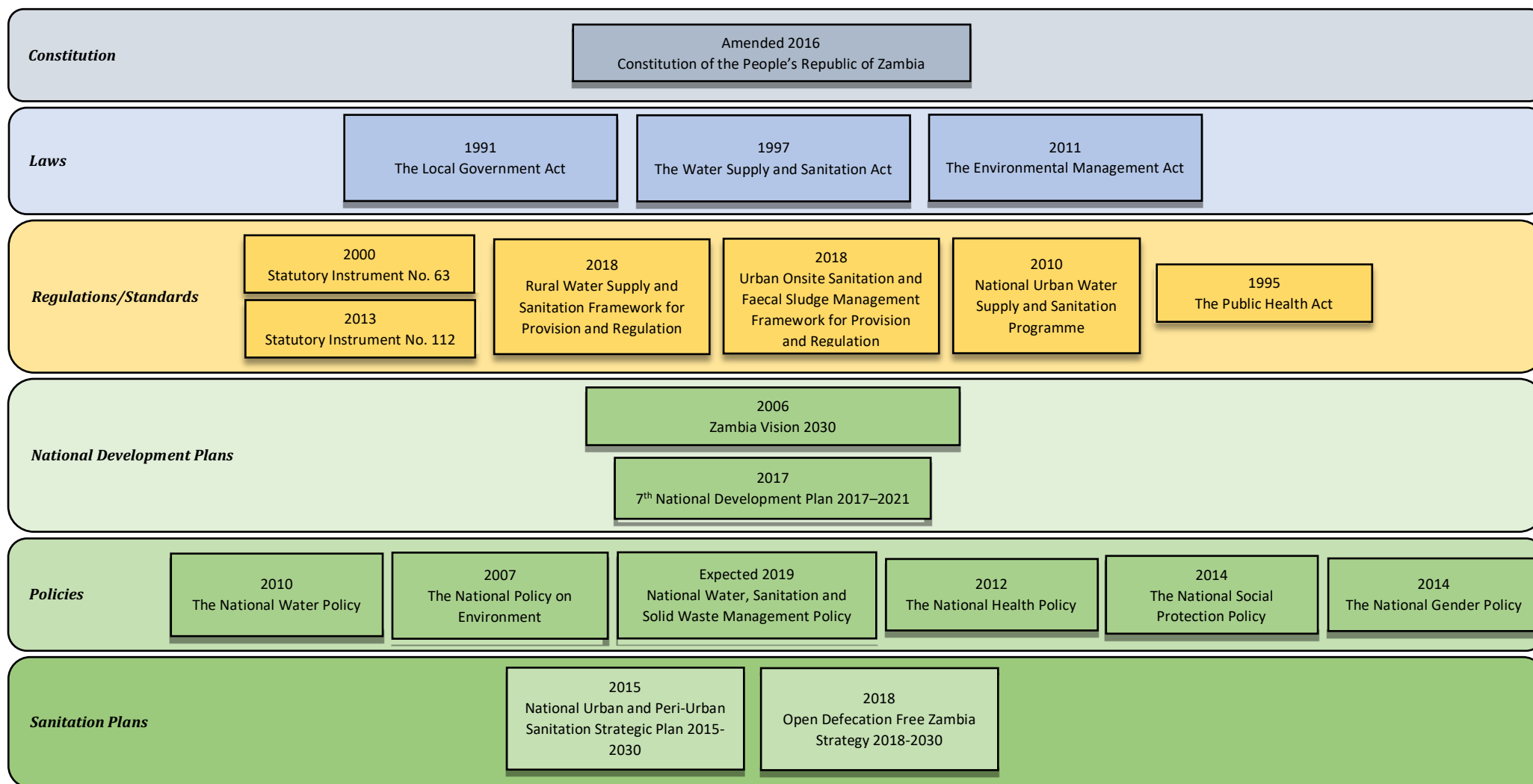


Figure 2: Overview of sanitation policy and planning frameworks in Zambia

1. Introduction

Until recently, the Government of the Republic of Zambia (GRZ) had characterized sanitation as a sub-sector of water supply, rather than developing and implementing strategies that were specific to sanitation. As in many countries, sanitation had been given a lower priority than water supply in the policy and planning frameworks – WASH policies, legislative and regulatory frameworks in Zambia, as well as institutional arrangements focused primarily on water supply.

Since 2015, with the acknowledgement that “urbanization, population growth and lack of planning have generated ‘sanitation stress’ mainly in low income areas,” (GRZ 2015, p. 9), Zambia began to consolidate its legislative and policy frameworks to focus explicitly on sanitation, taking into consideration the entire sanitation chain and the SDGs. This shift in thinking came from the realization that, “Despite important improvements in the field of water supply, sanitation continues to lag behind and it is unlikely that the Millennium Development Goal (MDG) of halving the number of people without access to adequate sanitation by 2015, will be met,” (ibid., p.1). This new focus was further demonstrated by the establishment of a new ministry in 2016 with sanitation as one of its mandates – the Ministry of Water Development, Sanitation and Environmental Protection (MWDSEP).

In 2018, three key documents specific to sanitation were published: the Rural Sanitation Framework for Provision and Regulation; the Urban Onsite Sanitation and Faecal Sludge Management Framework for Provision and Regulation; and the Open Defecation Free (ODF) Zambia Strategy. With a focus on sanitation, these documents are a major step in raising the profile of sanitation in Zambia. Moreover, in November 2018, at the country’s first Sanitation Summit held in Lusaka, the GRZ recognized that in regard to reducing child morbidity and mortality “sanitation is one of the best investments a government and partners can make,” (GRZ 2018a, p.1). Moreover, the anticipated National Water Supply, Sanitation and Solid Waste Management Policy² is expected to continue the shifting focus and moment for sanitation in Zambia.

2. National institutional arrangements for sanitation in Zambia

In Zambia, the MWDSEP is the lead agency for sanitation at the national level and is responsible for sector oversight and policy development. The MWDSEP also implements policy and coordinates the water and sanitation sector. As part of coordinating the sector, MWDSEP leads the Water Sector Advisory Group, which is a collaboration and coordination forum comprised of line ministries, academic institutions, development partners and other relevant stakeholders.

Another key institution at the national level is the National Water Supply and Sanitation Council (NWASCO), which is an independent regulator. NWASCO’s primary responsibilities are the regulation of sanitation services providers in both urban and rural contexts (mainly commercial utilities) through the implementation of regulatory tools such as licensing, performance management and inspections (see Section 3.3 for additional information on regulations). NWASCO’s responsibilities also include developing guidelines for various aspects of sanitation, including tariff setting.

² At the time of writing, the Draft Water Supply, Sanitation and Solid Waste Management Policy had not yet been adopted and, therefore, is not reviewed in this case study. However, various definitions and measures within the policy are referred to in documents that have been reviewed.

Box 2: NWASCO's regulatory tools (NWASCO 2019)

- *Licensing*: NWASCO is responsible for the issuance, administration and management of licenses to service providers which specify both the operating area and the conditions for each service provider.
- *Monitoring and performance reporting*: NWASCO carries out inspections on premises to ensure that provisions of the Water Supply and Sanitation Act No.28 are being carried out. In addition, performance indicators are used to compare service providers and to set benchmarks for indicators such as coverage, hours of service and staffing.
- *Water supply and sanitation guidelines*: NWASCO has developed guidelines for aspects of sanitation services provision such as tariff levels and minimum service levels.
- *Service level agreements and guarantees*: NWASCO monitors performance of service providers against service level guarantees which must not be lower than the Minimum Service Level Guidelines.
- *Pro-poor regulation*: NWASCO also regulated and administered the Devolution Trust Fund (DTF). The DTF was operational between 2003 and 2018 as a multi-donor basket fund. The objective of the DTF was to assist water supply and sanitation utilities to improve service delivery particularly to the low-income population in the urban and low-income areas of Zambia.
- *Regulatory enhancement*: Additional tools such as the engagement of part time inspectors in different parts of the country, regulation by incentives, and special regulatory supervision enhance NWASCO's regulatory tools.

The Zambia Environmental Management Agency (ZEMA) is the responsible agency for regulating effluent discharge. ZEMA is responsible for issuing waste management licenses to all sanitation service providers (including local authorities) to “reclaim, re-use, recover or recycle waste; collect or dispose of waste; transport waste to a disposal site; own, construct or operate a waste disposal site or transit, trade in or export waste,” (GRZ 2011, p.135).

Other ministries at the national level also play a role in sanitation (Table 1). Coordination among the different ministries is facilitated by the Water Supply and Sanitation Sub-Committee of the Water Sector Advisory Group.

Table 1. Supporting ministries and institutions with responsibilities in the Zambia sanitation sector (Country consultation 2018)

Ministry	Role
<i>Ministry of Local Government</i>	Responsible for ensuring service provision.
<i>Ministry of Health</i>	Responsible for WASH infrastructure (including operations and maintenance) in health care facilities.
<i>Ministry of Gender</i>	Ensures participation of women in infrastructure planning through Water, Sanitation and Hygiene Education Committees.
<i>Ministry of Community Development and Social Services</i>	Ensures access to sanitation for poor and vulnerable households through social assistance programmes.
<i>Ministry of Tourism, Environment and Natural Resources</i>	Plays a role in sanitation, mainly with regard to wastewater and is responsible for advising local authorities on the development of sanitation master plans and also advising on appropriate technologies.
<i>Zambia Bureau of Standards</i>	Defines the technical standards that must be utilized by the various actors in the sanitation sector to enable the installation of sanitation systems that provide affordable but good quality services.
<i>Ministry of General Education</i>	Supporting the MWDSEP in creating demand for sanitation in schools and assisting in planning for sanitation and hygiene promotion. Also responsible for the management of sanitation infrastructure in schools.

3. Policy and planning framework for sanitation in Zambia

This section reviews the policy and planning frameworks for sanitation in Zambia. In order to narrow the scope, this section presents findings through the lens of the SDG 6 and WHO Guidelines on Sanitation and Health. Therefore, only select content is summarized. As presented in Figure 2, this section begins by summarizing the extent to which sanitation is recognized in the constitution, followed by sections on laws, regulations, national development plans, policies and plans. Please see the glossary to understand how these frameworks are distinguished.

3.1. Constitution

The Constitution of GRZ establishes that local authorities have exclusive functions over water and sanitation services “limited to potable water supply systems and domestic waste-water and sewage disposal systems,” (GRZ 2016). While GLAAS has consistently found that the majority of countries recognize the human right to sanitation in their constitutions and/or laws, Zambia’s Constitution does not recognize the right to sanitation (ibid.; GLAAS country survey 2018).

3.2. Laws

This section reviews the following laws:

- 1997 National Water and Sanitation Act No. 28
- 1991 Local Government Act Cap 281 of the Laws of Zambia
- 2011 Environmental Management Act No. 12
- 1995 The Public Health Act Chapter 295

The key legislation governing sanitation in Zambia is the **National Water Supply and Sanitation Act No. 28** of 1997. The act established NWASCO as the oversight agency for the regulation of water supply and sanitation for both urban and rural contexts in Zambia. In addition to establishing NWASCO and setting out its responsibilities, the act provides for the establishment of water supply and sanitation utilities as commercial entities under the local authorities in order to be able to provide water supply and sanitation services their areas of jurisdiction. The act states that with a licensing application, service providers are to submit short and long term plans that outline “plans for the provision of an efficient, affordable and sustainable water supply or sanitation service,” (GRZ 1997, p.249).

The National Water Supply and Sanitation Act defines sanitation services as “the disposal, onsite or offsite, of human excreta; the collection of sewerage, excluding untreated toxic waste and storm water, from residential, commercial or industrial sources and the treatment and disposal of waste water,” (ibid., p.244). Sewage is defined as “soil water, waste water or manufacturing or trade effluent,” (ibid.).

The 1991 **Local Government Act Cap 281 of the Laws of Zambia** confers the responsibility for sanitation provision on the local authorities. The law states that the government shall make specific grants from the national fiscus to local authorities for the discharge of its functions whereby the law specifically mentions water supply and sanitation as one of the functions (GRZ 1991).

The **Environmental Management Act No.12 of 2011** lays some of the groundwork for regulating wastewater. The act defines effluents as “...waste water or other fluid of domestic, agricultural, trade

or industrial origin, treated or untreated, and discharged, directly or indirectly, into the aquatic environment,” (GRZ 2011, p.130). The act maintains that local authorities shall ensure that “waste effluents are treated or are so modified as to comply with prescribed standards before final disposal,” (ibid., p.136). In addition, the act re-named the existing Environmental Council to the Zambia Environmental Management Agency (ZEMA), which is the agency responsible for regulating wastewater by certifying inspectors and administering fines when established effluent standards are not followed.

The Public Health Act Chapter 295 of the Laws of Zambia provides for sanitary accommodation standards for public premises which includes health facilities. The act further also provides for the suppression and prevention of diseases through nuisances prohibition (GRZ 1995).

3.3. Regulations and standards

This section reviews the following regulations and standards:

- 2000 Statutory Instrument No. 63, under the Water Supply and Sanitation Act
- 2013 Statutory Instrument No. 112, under the Environmental Management Act
- 2010 The National Urban Water Supply and Sanitation Programme
- 2018 The Urban Onsite and Faecal Sludge Management Framework for Provision and Regulation
- 2018 The Rural Water Supply and Sanitation Management Framework for Provision and Regulation
- 1995 The Public Health Act

Zambia has two key instruments that are the foundation of existing sanitation regulation:

- Statutory Instrument No. 63 under the Water Supply and Sanitation Act; and
- Statutory Instrument No. 112 of 2013 , under the Environmental Management Act.

Statutory Instrument No. 63 sets out the regulations pertaining to the licensing of water supply and sanitation utilities and service providers. These regulations stipulate various general license conditions, which apply to all water supply and sanitation service providers. In addition, the regulations require NWASCO to establish guidelines for the tariffs charged for water supply and sanitation services (GRZ 2000).

Statutory Instrument No. 112 of 2013 gives ZEMA the mandate to regulate the transport and disposal of wastewater into the environment and to set criteria for the classification of effluent. The statutory instrument also establishes that ZEMA may set requirements and standards for effluent treatment facilities, particularly to ensure that effluent discharge operations “are conducted in a manner that protects human health,” (GRZ 2013, p.751).

In accordance to the Water Supply and Sanitation Act No.28, which sets out that providers must guarantee a defined level of service to customers, the National Urban Water Supply and Sanitation Programme establishes service level standards for urban sanitation (GRZ 2010a). The service level standards for urban sanitation are indicated in Table 2.

Table 2: Zambia service level standards for urban onsite and offsite sanitation (GRZ 2010a, p.66)

	Housing type			Peri-urban areas
	High-cost housing	Medium-cost housing	Low-cost housing	
Onsite sanitation				
Service Level 1 - MINIMUM	Septic tank and percolation	Septic tank and percolation	Ventilated improved pit	Improved traditional or communal latrine
Service Level 2 - MEDIUM	Septic tank and percolation	Septic tank and percolation	Septic tank and percolation	Ventilated improved pit
Service Level 3 - MAXIMUM	Septic tank and percolation	Septic tank and percolation	Septic tank and percolation	Compost or Ecosan latrine
Offsite sanitation				
Service Level 1 - MINIMUM	Sewer connection	Communal septic tank	Communal septic tank	Not generally available
Service Level 2 - MEDIUM	Sewer connection	Sewer connection	Communal septic tank	
Service Level 3 - MAXIMUM	Sewer connection	Sewer connection	Sewer connection	

Even under these regulatory frameworks, Zambia has recognized that the existing regulations for sanitation are inadequate in the context of the SDGs and are unable to address issues such as faecal sludge management (FSM). Therefore, the country is taking steps to strengthen its regulatory environment. For example, “NWASCO has ... taken cognizance of the concerns raised by various stakeholders and by the [MWDSEP and the Ministry of Local Government] with regard to inadequate regulatory framework for urban [onsite sanitation] and hence commenced the process of developing the necessary framework for regulating this important aspect,” (NWASCO 2018b, p.9).

In order to address these inadequacies, Zambia has published two new regulatory frameworks for urban and rural sanitation: **The Rural Water Supply and Sanitation Framework for Provision and Regulation** and **The Urban Onsite and Faecal Sludge Management Framework for Provision and Regulation**. Table 3 below presents examples of how the frameworks outline regulations along the sanitation service chain.

Table 3: Examples of new regulations covering aspects of the sanitation service chain

Aspect of the sanitation service chain	Rural Framework (NWASCO 2018a)	Urban Framework (NWASCO 2018b)
Toilet	Standards for onsite sanitation facilities	Minimum standards for sanitation facilities including toilets
Containment	ZEMA and local authorities administer registration and inspection regulations of septic tanks	Citing, design, construction and usage of onsite sanitation facilities (septic tanks, etc.)
Emptying	Amendment of licensing to ensure that onsite sanitation service providers require a permit	Statutory Instrument: Regulations governing operation and maintenance of onsite sanitation facilities (includes desludging/emptying/ transportation requirements)
Conveyance	All transportation trucks should be licensed (under ZEMA-issued Waste Management Licenses)	Statutory Instrument as indicated above; New Service Provision Guidelines
Treatment	Regulations governing operation and maintenance of onsite sanitation facilities including regulations for domestic wastewater treatment	Standards for treatment, discharge and reuse of faecal sludge and effluents from faecal sludge treatment plants
Safe re-use or disposal	Statutory Instrument No. 63 to be amended to include standards for the use of faecal sludge, and also regulations for reuse of faecal sludge and discharge of effluent	Statutory Instrument No. 63 to be amended to include standards for the use of faecal sludge, and also regulations for reuse of faecal sludge and discharge of effluent

Both frameworks link closely with the WHO Guidelines on Sanitation and Health, which specify that the explicit recognition of both “sewered and non-sewered sanitation system types (including decentralised systems), including the full service chains of both, in relevant legislation and regulations at national, sub-national, municipal and local levels,” (WHO 2018, p.21) is a critical action that demonstrates good practice in the sanitation sector.

Regulations under the **Public Health Act** specify the number per type of latrine accommodation that should be available in schools and buildings. For schools, the regulations stipulate the number of students per toilet for male and female students. In addition, the regulations stipulate the depth that pits should be and that “all latrine accommodation to be so arranged and maintained as to be conveniently accessible at all times to all children who are accommodated in such school or college,” (GRZ 1995, p.132). For buildings, the act stipulates that every new building must have appropriate latrine accommodation (Box 2); residential buildings and dwellings must have separate latrine accommodation (one latrine per dwelling) except where “sufficient latrine accommodation can be so conveniently situated that it may be used in common by the inmates of two or more dwelling-houses” (ibid., p.131).

Box 3: Definition latrine accommodation in the Public Health Act Cap 295 of the Laws of Zambia

“**Latrine accommodation** includes a receptacle for human excreta, together with the structure containing and including such receptacle and the fittings and apparatus connected therewith,” (GRZ 1995, p. 93).

In addition to these regulations, Zambia has in place standards for wastewater discharge (referred to as ZS 323) for discharge into surface waters. Under the Urban Onsite and Faecal Sludge Management Framework for Provision and Regulation it is also planned to develop standards for wastewater discharge into soil (NWASCO 2018b).

3.4. National development plans

This section reviews the following national development plans:

- 2006 Zambia Vision 2030
- 2017 The 7th National Development Plan 2017 – 2021

The **Zambia Vision 2030** outlines the overall development goals for Zambia, including a socio-economic development objective to provide “improved sanitation facilities to 100 percent of the population,” (GRZ 2006, p.5). Specifically, the sanitation targets in Vision 2030 aim to achieve access to “appropriate, environmentally friendly” sanitation for 68% of the total population by 2015 and 90% by 2030 (ibid., p.33).

The vision also addresses sanitation in informal settlements. The target is to rehabilitate or upgrade “sewage treatment facilities in all major towns and cities,” (GRZ 2006, p.35) and ensure that “80% of unplanned settlements [...] have access to... sanitation facilities,” (ibid., p.35). This target links with the WHO Guidelines on Sanitation and Health which indicate that good practice actions include the development of policies and plans which “prioritize groups based on risk (e.g. low coverage, endemicity, disability, conflict, informal settlements, flood prone areas) and in line with human rights principles,” (WHO 2018, p.20).

The **7th National Development Plan (7NDP) 2017 – 2021**, with the theme of leaving no one behind, supports the implementation of Vision 2030 through objectives under a five-year period. The 7NDP indicates that a key condition of success for poverty and vulnerability strategies is “equitable access to social services, such as... sanitation,” (GRZ 2017, p.90). As such, the third development outcome in 7NDP calls for “improved access to water supply and sanitation” (ibid., p.102). The development outcome is enacted through various strategies and programmes as presented in Table 4.

Table 4. Sanitation strategies and programmes as outlined by the 7NDP (GRZ 2017)

Strategy	Supporting programmes
Strategy 1: Enhance provision of adequate safe water and sanitation	<ul style="list-style-type: none">▪ Water supply and sanitation and hygiene promotion▪ Communication and advocacy enhancement▪ Sector coordination enhancement▪ Capacity development
Strategy 2: Improve availability of water and sanitation infrastructure	<ul style="list-style-type: none">▪ Water supply and sanitation infrastructure development▪ Sustainable operations and maintenance improvement▪ Water and sanitation management promotion▪ Capacity development
Strategy 3: Enhance research in water supply and sanitation services	<ul style="list-style-type: none">▪ Research and knowledge management improvement▪ Keep Zambia Clean Campaign promotion
Strategy 4: Promote alternative financing for water and sanitation	<ul style="list-style-type: none">▪ Basket financing promotion▪ Public-private partnership enhancement

In addition, the 7NDP’s first development outcome calls for “reduced inequalities” aiming to “...transform underdeveloped rural settings into cohesive communities with profitable and productive opportunities where members enjoy equitable access to basic [...] services,” (ibid., p.92), where sanitation is listed as a basic service. This practice with the WHO Guidelines on Sanitation and Health

where the definition of sanitation as a basic service in national plans is recommended as a good practice action (WHO 2018, p.20).

The strategies set out in the 7NDP are supported through the measures of various national policies, including the social protection, gender and health policies (see Section 3.5. for more information on these policies).

3.5. Policies

This section reviews the following policies:

- 2010 The National Water Policy
- 2007 The National Policy on Environment
- 2014 The National Social Protection Policy
- 2014 The National Gender Policy
- 2012 The National Health Policy
- National Water, Sanitation and Solid Waste Management Policy (expected in 2019)

The main policy for sanitation in Zambia is the **2010 National Water Policy**. However, the policy approaches sanitation very much within the context of the broader water sector. The “major outcome of [the] National Water Policy is to improve the management of water resources, institutional coordination and defined roles and responsibilities,” (GRZ 2010b, p.20). Throughout the policy, sanitation is approached through the lens of household uses of water.

The policy sets out what are termed as “policy statements” for each of the subsectors (e.g. water resources, water supply and sanitation etc.) and there are policy measures underpinning those statements. For the water supply and sanitation subsector, the statement is “To promote sustainable water resources management and development with a view to facilitate an equitable provision of adequate quantity and quality of water supply and sanitation in a timely manner,” (ibid., p.26). There is only one policy measure for water supply and sanitation, which states “Support the provision of adequate, safe, and cost effective water supply and sanitation services with due regard to environmental protection,” (ibid.).

However in addition to 2010 National Water Policy, Zambia has commenced the approval process of the **National Water, Sanitation and Solid Waste Management Policy**, which has been submitted to Parliament (Country Consultations 2018).³ The new draft policy is expected to follow the same definition for sanitation as the one found in both the urban and rural frameworks for provision and regulation, which describe sanitation as “the safe collection, transportation, treatment and disposal or reuse of human excreta, domestic liquid waste, industrial effluents and municipal solid waste,” (NWASCO 2018a, NWASCO 2018b).

Another policy that addresses sanitation is the **National Policy on Environment of 2007**, which highlights sanitation under measures for “Human settlements and health”, the policy sets out the following strategies related to sanitation:

- “(a) Develop sanitation master plans and provide environmentally friendly services to district and town councils;

³ The draft policy was not finalized or publicly available at the time that this case study was conducted.

- (b) Improve water borne sanitation systems and solid waste disposal using appropriate technology as well as proper design, selection and licensing of disposal sites and routes;
- (c) Enforce existing policies and laws through strengthening institutional capacity and mechanisms for compliance;
- (f) Educate the public and local experts on best systems for design and implementation of sanitation projects and approaches to control and ameliorate the spread and impact of HIV/AIDS upon communities;
- (h) Ensure that all hospitals, clinics, public places and residential areas have appropriate sanitation and waste and effluent disposal systems,” (GRZ 2007, p.29).

The policy advocates for sanitation systems that are “environmentally friendly” and use “appropriate technology” (ibid.). These measures are in line with the WHO Guidelines on Sanitation and Health, which recommend that toilet “design should be culturally-appropriate, suitable to locally-available materials and physical conditions such as water availability and ground/soil conditions,” (WHO 2018, p.12). In addition, to some extent, these measures also address measures for WASH in health care facilities, particularly (h) above.

The **2014 National Social Protection Policy** under the Ministry of Community Development and Social Services, refers to sanitation as a basic service and includes measures to ensure the provision of sanitation services to vulnerable groups in Zambia. Its implementation framework provides that the Ministry of Local Government shall among other actions, “Provide decent low-cost housing, water and sanitation services to under-served communities,” (GRZ 2014b, p.16). The policy and the linkages to sanitation are indicated as a good practice action in the WHO Guidelines on Sanitation and Health, which state that governments should “provide the policy basis for addressing affordability gaps and access for vulnerable populations, including linking to social protection policies and financing mechanisms,” (WHO 2018, p.20). The National Social Protection Policy also has measure for the protection of people living with disabilities and refers specifically to women and girls with disabilities. Examples of these measures are promoting “equal access to appropriate and affordable basic social services,” (GRZ 2014b, p.13), including sanitation.

The **2014 National Gender Policy** is closely aligned to the Social Protection Policy and contains specific measures to “enable women at community levels to participate actively in decisions on construction and management of infrastructural facilities for water supply and sanitation,” (GRZ 2014a, p.26). The institution responsible for the coordination of implementation of the policy is the Ministry of Gender and Child Development.

The **2012 National Health Policy** contains specific measures for sanitation provision as follows: “Promote and strengthen the provision of adequate and safe water and appropriate sanitary facilities in urban and rural areas,” (GRZ 2012, p.28). This is part of the objective to promote “acceptable sanitation” in order to reduce the incidence of diseases related to the environment.

3.6. Plans and strategies

This section reviews the following plans:

- 2018 The Open Defecation Free Zambia Strategy 2018–2030
- 2015 The National Urban and Peri-Urban Sanitation Strategy 2015–2030

The overarching vision of the **Open Defecation Free Zambia Strategy 2018–2030** is “to end Open Defecation by ALL [sic], paying special attention to the needs of women and girls and those in vulnerable situations by creating a sustained social norm of an [ODF] environment at household level, in learning institutions, health care facilities and public spaces fostering public health and nutrition,” (GRZ 2018b, p.17). The ODF Strategy is targeted at an integrated approach and will be implemented cooperatively by the MWDSEP – as the lead planning ministry – along with the Ministry of Health (MoH) and the Ministry of General Education and other line ministries with responsibilities in sanitation (GRZ 2018b). The strategy is based on principles that are aligned with the SDGs such as universal access, affordability, equity and community participation (ibid.).

The ODF Strategy’s overall objective is to guide the sector in the operationalization of “the key measures of the [Draft] National Water Supply, Sanitation and Solid Waste Management Policy relevant for ODF,” (ibid., p.18). The ODF strategy has four specific objectives, which are applied through a systems approach:

- to strengthen the enabling environment and national systems;
- to facilitate participatory demand creation for WASH;
- to support sustaining demand for WASH markets; and
- to support achieving safely managed sanitation through adequate and affordable FSM (ibid.).

The ODF strategy hinges on a phased approach to ODF, facilitating behaviour change and ensuring access to sanitation goods and services to all on a sustainable basis so that households can continually move up the sanitation ladder. A key measure of the ODF Strategy – under the objective of achieving safely managed sanitation – is to “support development and O&M of localized, scalable and affordable onsite sanitation and FSM options in high public health risk areas, related business models which are aligned with the regulatory framework of the [water supply and sanitation] sector,” (ibid., p.23).

The strategy links closely with the WHO Guidelines on Sanitation and Health in many areas, including the good practice action of strengthening and coordinating a “sustained marketing effort for safe sanitation services to eliminate open defecation and unimproved toilets,” (WHO 2018, p.22). The ODF Strategy establishes measures to eliminate both behavioural and structural barriers in access to safe toilets in rural settings. Removing behavioural and structural barriers is also a key measure of Recommendation 1 of the WHO Guidelines on Sanitation and Health that aim to ensure universal access and use of toilets that safely contain excreta (ibid., p.11). The ODF Strategy is primarily targeted at rural areas, where community contributions to sanitation facilities will be required, and where sanitation types are limited to onsite sanitation in almost all cases.

For urban and peri-urban areas, the **National Urban and Peri-Urban Sanitation Strategy 2015-2030** (NUSS), under the MLG, is the guiding document for sanitation. This plan aims to ensure that adequate sanitation is available in all new developments, as well as to upgrade sanitation to ensure that, in the areas where services or infrastructure already exists, sanitation facilities are adequate. The NUSS defines adequate sanitation as “A sanitation system that is accessible and available (located not more than 100 meters away from home and is easy to access for children, elderly and handicapped at all times during the day); it is acceptable for the user and provides a safe, convenient, private, secure and dignified place and complies with the socio-cultural norms of society (e.g. smell and reuse aspects); it is affordable and can realistically be paid for by the households and provides a handwashing facility,” (GRZ 2015, p.6). This definition aligns closely with the WHO Guidelines on Sanitation and Health, the Sustainable Development Agenda which intends to leave no one behind, and the human right to

sanitation which “entitles everyone to sanitation services that provide privacy and ensure dignity, and that are physically accessible and affordable, safe, hygienic, secure, socially and culturally acceptable,” (UN 2015).

Furthermore, the NUSS contains comprehensive definitions across all aspects of sanitation, most notably defining sanitation – “safe collection, containment, transportation, treatment and disposal or reuse of human excreta, domestic liquid waste and industrial effluents,” and the sanitation chain “incorporates the various steps required to sanitize excreta and wastewater, between the user interface (household or public, industrial and commercial excreta and wastewater production sites) and final sites for disposal or reuse of sanitized material,” (GRZ 2015, p.6-7). The NUSS consistently references the sanitation service chain, as well as safely managed services and targeting vulnerable populations, and indicates that Zambia is taking into account aspects of the SDGs in developing their sanitation sector post 2015. For example, one of the components of the NUSS is targeted at strengthening commercial utilities to develop new and upgrade existing and sustainably managed wastewater and FSM facilities, which are currently lacking in Zambia. Also, the NUSS is based on providing “some form of adequate sanitation,” (ibid., p.26) based on assessment of households where facilities are inadequate and steadily upgrading and improving those areas so that everyone has access to adequate sanitation facilities in urban areas. In addition, the NUSS is aimed at technologically appropriate solutions, by developing sanitation solutions along the service chain that are context-specific and potentially a mix of technologies.

In terms of sanitation types, a range of options for urban sanitation are proposed including:

- conventional wastewater systems (sewered systems);
- decentralized sewerage connected to decentralized wastewater treatment systems;
- onsite sanitation (pour flush toilets) ; and
- onsite sanitation (dry toilets) (GRZ 2015).

This links with the WHO Guidelines on Sanitation and Health in that the NUSS “recognize(s) that safe sanitation systems can be delivered through a mix of technologies,” (WHO 2018, p.20).

The NUSS also includes measure for reaching vulnerable populations. It sets out the conditions for a results-based finance mechanism, essentially the allocation of funds to a grant programme based on a set of pre-determined activities, which is aimed at incentivizing service providers to extend services to low-income areas. “These targeted performance-based grants are disbursed to service providers after pre-identified outputs have been delivered and verified independently,” (GRZ 2015, p.38). Additionally, the NUSS aims to “ensure that the needs of women, children and the physically challenged are considered,” (ibid., p.46) through the development, promotion and dissemination of sanitation standards that are both inclusive and flexible to conditions. In light of these measures, the NUSS includes an output indicator for the development of a sanitation code of practice, which would include design standards for toilet facilities for children and the physically disabled. In addition, the strategy includes a target of “50% of newly constructed public and institutional sanitation facilities [should] comply with [the] standard,” (ibid., p.66).

The NUSS also references institutional WASH indicating that the MWDSEP will work with the Ministry of General Education (MoGE) to improve sanitation in schools through the provision of safe sanitation facilities and the development of guidelines on school sanitation, and with the MoH by providing guidance and supporting planning for sanitation in health care facilities. It is also noted that health care facilities “have special requirements for sanitation,” (ibid., p.48) such as separate toilets for

people with infectious diseases and intensive daily cleaning regimes. Direct strategies to address institutional WASH are not included, but fall under Objective 3.5 which aims “To enhance stakeholder coordination regarding sanitation facilities in schools, hospitals and clinics, and public places,” (ibid., p.46).

4. Looking ahead

Zambia is currently engaged in a number of processes to finalize draft sanitation sector documents. Most importantly, 2019 should see the publication of the new policy – the National Water Supply, Sanitation and Solid Waste Management Policy, which contains key measures specific to sanitation as well as a clear set of definitions for various aspects of the sanitation sector.

In addition, the School Health and Nutrition Guidelines (Draft) comprising minimum standards for WASH in schools has been under review since June 2018. In alignment with the systems approach set out in the ODF Strategy, these guidelines will strengthen formal cooperation between the MWDSEP and the MoGE in implementing improved WASH in schools. According to Zambia’s GLAAS 2018 country survey, the draft National Rural Water Supply and Sanitation Programme 2018–2030 is expected to be finalized in 2019 and provides long term plans for rural sanitation in Zambia (GLAAS country survey 2018).

The MoH is in the process of developing guidelines for neighbourhood health committees, which will improve community participation in the implementation of onsite sanitation solutions, CLTS and sanitation behaviour change, and strengthen the implementation of the ODF Strategy. The MoH is also cooperating with the MWDSEP to use its District Health Information System as the platform for the WASH-MIS which is being developed to improve monitoring of rural sanitation (NWASCO 2018a).

With the official approval and publications of the draft policy and guidelines, the sanitation sector in Zambia will continue to evolve.

References

- Country consultations (2018) Information gathered through personal communication in meetings held with key stakeholders from 09–13 July 2018, Tshoganetso Masunga, Lusaka, Zambia.
- GLAAS Country Survey (2018) [Zambia GLAAS Country Survey Responses]. UN-Water GLAAS. World Health Organization. Raw data.
- Government of the Republic of Zambia (1991) *Local Government Act Cap. 281 of the Laws of Zambia*.
- Government of the Republic of Zambia (1995) *Public Health Act Cap. 295 of the Laws of Zambia*.
- Government of the Republic of Zambia (1997) *The National Water Supply and Sanitation Act No. 28 of 1997*.
- Government of the Republic of Zambia (2000) Statutory Instrument No. 63 of 2000: *Water Supply and Sanitation Act No. 28 of 1997*.
- Government of the Republic of Zambia (2006) Vision 2030: A prosperous middle-income nation by 2030.
- Government of the Republic of Zambia (2007) National Policy on Environment Ministry of Water Development, Sanitation and Environmental Protection.
- Government of the Republic of Zambia (2010a) National Urban Water Supply and Sanitation Programme 2011 – 2030. Ministry of Local Government and Housing. October 2010.
- Government of the Republic of Zambia (2010b) National Water Policy. Ministry of Water Development, Sanitation and Environmental Protection.
- Government of the Republic of Zambia (2011) *The Environmental Management Act No. 12*.
- Government of the Republic of Zambia (2012) National Health Policy. Ministry of Health.
- Government of the Republic of Zambia (2013) Statutory Instrument No. 112 of 2013: *Environment Management Act No. 12 of 2011*.
- Government of the Republic of Zambia (2014a) The National Gender Policy. Ministry of Gender and Child Development.
- Government of the Republic of Zambia (2014b) National Social Protection Policy (2014 – 2018). Ministry of Community Development and Social Services.
- Government of the Republic of Zambia (2015) National Urban and Peri-urban Sanitation Strategy 2015 – 2030 Ministry of Water Development, Sanitation and Environmental Protection.
- Government of the Republic of Zambia (2016) *Constitution of Zambia (as amended) Act No. 2 of 2016*.
- Government of the Republic of Zambia (2017) 7th National Development Plan 2017-2021. Ministry of National Development Planning.
- Government of the Republic of Zambia (2018a) National Sanitation Summit Concept Note (Final). Ministry of Water Development, Sanitation and Environmental Protection.

Government of the Republic of Zambia (2018b) Open Defecation Free Zambia Strategy 2018 – 2030 Ministry of Water Development, Sanitation and Environmental Protection November 2018.

NWASCO (2018a) The Rural Water Supply and Sanitation Framework for Provision and Regulation. NWASCO. Lusaka. April 2018.

NWASCO (2018b) The Urban Onsite and Faecal Sludge Management Framework for Provision and Regulation. NWASCO. Lusaka. April 2018.

NWASCO (2019) NWASCO Regulatory Tools [Online]. Available at: <http://www.nwasco.org.zm/>.

United Nations (2015). General Assembly Resolution 70/169: The human rights to safe drinking water and sanitation. United Nations, New York, USA

World Health Organization (2018) Guidelines on sanitation and health. Geneva [Online]. Available at: <http://apps.who.int/iris/bitstream/handle/10665/274939/9789241514705-eng.pdf?ua=1>

Glossary

Law: A law is a system of rules that the country recognizes as legally binding. Sometimes laws are called legislation or legislative frameworks.

National development plan: A national development plan – sometimes called a vision – is a national long-term social and/or economic development plan. National development plans usually include all sectors covered by government institutions (e.g., education, health, WASH, etc.).

Policy: A policy is a key guiding instrument for present and future decisions. Policies are the principle guides to action taken by the government to achieve national, sector, and/or industry-wide goals. In different countries policies will go by another name. Policies are not necessarily enforceable by law.

Plan: A plan – sometimes called a strategy – gives effect to decisions based on the policy. Plans are implementable items that establish targets to achieve and provide details on implementing policy or regulation. Plans can assign responsibilities and indicate how the responsible entities will respond to requirements set forth by policy, law, and regulation, the type of training and development that will be provided, and how financial and human resources will be allocated. Plans are not necessarily enforceable by law and may go by another name, depending on the country.

Regulations and standards: A regulation – sometimes called a standard – is a rule or directive that implements the mandates/requirements set forth in law. Regulations are developed by an agency or ministry that has been established through legislation or an executive action.