

# **MEMORANDUM OF UNDERSTANDING**

*Between*



**Federation of Drinking Water and Sanitation Users  
Nepal (FEDWASUN)**

*And*

**Department of Rural Infrastructure Development and  
Agricultural Roads (DoLIDAR),**



**9<sup>th</sup> June 2014  
Dhampus, Kaski**

## **MEMORANDUM OF UNDERSTANDING (MoU) BETWEEN FEDWASUN AND DOLIDAR**

### **Article 1**

#### *Objective of the collaboration*

- 1.1 **Federation of Drinking Water and Sanitation Users' Nepal, National Executive Committee**, hereafter referred to as "**FEDWASUN**" and **Department of Rural Infrastructure Development and Agricultural Roads**, hereafter referred to as "**DoLIDAR**", agree for collaboration to execute activities summarised below. This MoU sets out the general principles and terms of the collaboration between the Parties.
- 1.2 The collaboration has the overall objective **to ensure sustainability of the developed water supply schemes by supporting Water Users Committees in networking and Capacity Building with different district level stakeholders for technical, financial and other supports to WUSCs.**
- 1.3 The services provided by FEDWASUN through its district branches and central office and DoLIDAR through DDCs and Rural Water Supply and Sanitation Project in Western Nepal (RWSSP-WN II) under this MoU shall be based on the decision made by respective District Management Committees (DMC) of RWSSP-WN II in each district project.

### **Article 2**

#### *Analysis of the situation*

- 2.1 Thousands of water and sanitation users' committees/groups are being involved in operation of the water supply schemes including repair and maintenance of water and sanitation projects at local level. In one hand users having lack of sufficient institutional capacity to operate the system and in other hand peoples are not being able to get support from service providers and district level government organizations in equitable and inclusive manner. Users' were in isolation without having platform to share 'pains and gains' and to raise their voices collectively.

In this regard water and sanitation users' realized the need of common forum and established Federation of Drinking Water and Sanitation Users' Nepal (FEDWASUN) in August 2003 and officially registered in May 2004. FEDWASUN is people based umbrella organization of drinking water and sanitation users of the country and reached to more than 600,000 families through 59 district branches and more than 4000 members Water and Sanitation Users Committees (WUC). Representatives are elected democratically through assemblies at district and central level. 50% of positions at all level of organization reserve for females including key positions and reservation is provisioned for marginalized and disadvantaged groups. Overall objective of the FEDWASUN is to act as people-based civil society to advocate users' issues at local to policy level for protection of water and sanitation right of the people through empowering water and sanitation users for establishing access towards water and sanitation 'For all and Forever', ultimately supporting to achieve national and international goal of the sector.

- 2.2 To achieve the goal FEDWASUN has concentrated its focus to ensure the service delivery in good governance manner to the users'. At present FEDWASUN is focusing its advocacy on equitable/justifiable distribution of facilities to the users transparently, with meaningful participation of beneficiaries including men/women, poor, marginalized and disadvantaged groups. FEDWASUN believes that "Users' are the Manager of the Water and Sanitation System" and they have right to decide in each

and every aspect of the project on every step of project cycle, ultimately to ensure sustainable operation of the facilities.

- 2.3 FEDWASUN provides forum for member users' committees to share the success stories and lessons learned so that cross learning among members be useful to solve the problems, the problems raised by users are forwarded to different stakeholders and followed up for solution. Similarly, FEDWASUN supports WUSCs to enhance their capacity for sustainable operation and maintenance of water supply and sanitation facilities.
- 2.4 RWSSP-WN II (Under DoLIDAR) works in 14 districts of Western and Mid-Western development regions of Nepal. The main objective of RWSSP-WN II is to achieve improved health, socio-economic status and fulfilment of the equal right to water and sanitation for the inhabitants of the project area. This objective will be met by means of water supply and sanitation support to the community through sustainable ODF/post ODF and water supply schemes. Water is thus be used as means for balanced social and economic development to benefit rural communities.
- 2.5 RWSSP-WN II, to ensure the sustainable operation of the schemes and to encourage communities to improve their situation further with regards to livelihoods, sanitation, environment and health, is supporting users to implement post construction activities. These activities aim to:
- Mainstream good governance in local water resources management.
  - Build ownership and accountability among users by the establishment of O&M system at scheme and VDC level through realization and capacity enhancement.
  - Ensure the water safety at source as well as different water points by water quality testing, sanitary surveys and necessary improvements (if needed) and proper implementation of the plan.
  - Support WUSCs to establish participatory monitoring and evaluation of health and sanitation through awareness/education and construction of sanitation and hygiene facilities.
  - Motivate to utilize the locally available resources for the income generation and develop the entrepreneurship skills of users to raise the income for the support of regular water tariff payment.
  - Develop the skill of users for undertaking the low cost soil conservation practices and other environmental improvements to protect the water source and constructed structures.
  - Enhance the capacity of the users for the establishment of functional linkages with development line agencies/local government and other services providers.

### **Article 3**

#### *Areas for Collaboration*

- 3.1 FEDWASUN and DoLIDAR both agree that sustainability of the water and sanitation schemes is not possible without proper institutional linkages of the users and their organization (Water Users and Sanitation Committee) with government and non government district and national level institutions. At district-level, FEDWASUN could be developed as focal point for Water Users Committees searching support in different aspects, such as O&M, extending services, rehabilitating structures, or in such soft-ware aspects as Water Users Committee management practices, income generation and awareness activities on health and sanitation.
- 3.2 FEDWASUN and DoLIDAR agree for collaboration on following priority areas:
1. Strengthen capacity of national and district FEDWASUN and WUSC
  2. Exchange of facilitation in capacity building activities.

3. Facilitate Water Users Committee for registration.
4. Shared effort in promotional activities and events such as National Sanitation Week, International Hand Washing Day, World Latrine Day, World Environment Day, and International Women's Day, World Water Day as agreed in each district.
5. Contribute to development of post construction support services and post ODF strategies.
6. Demonstration and scaling up total sanitation approaches aiming at open defecation free status in villages.
7. Promoting good governance in WASH Sector.
8. Monitoring and evaluation.
9. Development and dissemination of IEC materials, such as Water Users Committee Management Manuals, sanitation and hygiene posters etc.
10. Share the experiences and learning at national level.
11. Other activities as identified by DMC.

Role and responsibilities of the parties has been described in Annex-1 (attached herewith).

#### **Article 4**

##### *Working arrangements*

- 4.1** The driving force of the collaboration is the strong wish of both parties to achieve impact through joint action and learning. Mutual trust and respect are therefore guiding principles for the implementation of the collaboration.
- 4.2** This agreement covers a period till the end of RWSSP-WN phase II. Any changes to this collaboration will be based on mutual agreement and will be made in writing. Based on the outcome of the evaluation and lessons learned, this agreement of collaboration may be extended for any time frame mutually agreed by both the parties
- 4.3** FEDWASUN head office and RWSSP-WN II shall each assign a focal person responsible to coordinate, monitor and follow up the agreement and work plan activities.
- 4.4** Implementation of this MoU will be made by Project Management Team of RWSSP-WN II/District Management Committee and district FEDWASUN at district level. Both DoLIDAR and FEDWASUN centre will provide necessary supports for respective service agencies and monitor the activities accordingly.
- 4.5** Activities under the agreed frame as per priority area mentioned in article 3.5, will be identified as per the decision made by project management committee or respective district management committees at district level. Further agreement can be made between DDC and District FEDWASUN to implement this MoU. The MoU will be witnessed by RWSSP-WN II and FEDWASUN centre representative.
- 4.6** The progress reviewing of the achievements of the collaboration will be done regularly and detail reviewing will be done at least once a year in December.
- 4.7** Areas for collaboration can change over time. Both parties agree to reassess the prioritised areas mentioned under Article 3 at regular intervals as part of the progress monitoring of this agreement. Where needed, based on mutual agreement, new areas for collaboration can be selected.

**Article 5**  
*Miscellaneous*

- 5.1** Any dispute arising from the implementation of this MoU shall be settled through mutual consent of the Parties.
- 5.2** This agreement of collaboration can be terminated prematurely due to unforeseeable circumstances. Parties will allow in such case for sufficient time to develop and implement an exit plan and to ensure that existing obligations with partners and clients are met.
- 5.3** Any studies, reports, or other material (graphic, software or otherwise) prepared by FEDWASUN or DoLIDAR under this agreement is joint property. Both FEDWASUN and DoLIDAR may use the material for purposes of knowledge sharing and networking, or in (joint) publications. For any other use either party will consult the other.
- 5.4** FEDWASUN and DoLIDAR shall not be liable for the acts or defaults of the other party. All liabilities arising from or in connection with the activities carried out by the DoLIDAR shall be the responsibility of the RWSSP-WN II and no liability of any nature shall be passed to FEDWASUN; and vice versa. All liabilities arising from or in connection with specific FEDWASUN activities, carried out by FEDWASUN, shall be the responsibility of FEDWASUN.
- 5.5** FEDWASUN, DoLIDAR and RWSSP-WN II shall not transfer or divulge any confidential information to any other person or organization, not connected to FEDWASUN and the RWSSP-WN II unless:
- Prior written consent from both parties is obtained; and/or
  - The information is already in the public domain; and/or
  - Disclosure is required by law

**Article 6**  
*Entry into Force*

This agreement of collaboration shall enter into force upon signing by both FEDWASUN and RWSSP-WN II. It will be valid from the date of the signature until July 2018.

For FEDWASUN:

For DoLIDAR:

\_\_\_\_\_  
Rajendra Aryal  
National President  
FEDWASUN  
Date: 9<sup>th</sup> June 2014

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Jeevan Kumar Shrestha  
Director General  
DoLIDAR  
Date: 9<sup>th</sup> June 2014

Annex:

1. Role and Responsibilities of FEDWASUN and RWSSP-WN II to implement this memorandum of understanding.

### Role and Responsibilities of FEDWASUN and DoLIDAR

The Chief Technical Advisor and National Project Coordinator, RWSSP-WN II, and National Chairperson of FEDWASUN are directly responsible for implementation of this MoU. FEDWASUN will fulfil its role and responsibilities through district FEDWASUN whereas DoLIDAR will fulfil it through RWSSP-WN II and DDC/DMC of project districts.

	Area of Priority	FEDWASUN	DoLIDAR through RWSSP-WN II
1	Activation of FEDWASUN district branch.	<p>Conduct district general assemblies in timely manner affiliating all potential WUSCs under FEDWASUN.</p> <p>Organize capacity building training to District FEDWASUN members.</p> <p>Participate in DMC meeting as member of DMC</p>	<p>Raise awareness about FEDWASUN amongst the Water Users' Committees, formed under RWSSP-WN II</p> <p>Participate in Users' Assembly and support in facilitation in technical issues (if any)</p> <p>Nominate FEDWASUN as member of DMC. Invite district FEDWASUN for District Management Committee meetings, monitoring visits and capacity building functions.</p>
2	Exchange of facilitation in capacity building activities.	<p>Provide a facilitator for users'/VDC level trainings as requested by the DMC.</p> <p>Send members of district branch to participate in different training activities as requested by DMC.</p> <p>Nominate well performed member WUSC officials for sharing the good lessons for the training.</p>	<p>Invite FEDWASUN members to participate in the different training activities (especially, WUSC management training, water safety plan training, Support Person orientation/refreshers)</p> <p>Identify the joint capacity building events annually and plan &amp; budget these in the district annual work plans</p> <p>Provide necessary support for the training.</p>
3	Facilitation to Water Users Committees for legalization and institutionalization.	Facilitate to Water Users Committees for registration under Water Resources Act by providing sample of statute, and assist in registration process.	Suggest WUSCs to get support from FEDWASUN for registration process.
4	Demonstration and up scaling of total sanitation approaches aiming at open defecation free status in villages.	<p>Develop post ODF strategies and action plan and train VWASHCCs</p> <p>Aware communities through member Water Users' Committees for declaring ODF and move towards total sanitation.</p>	<p>Support in lobbying and advocating.</p> <p>Provide necessary supports for sanitation and hygiene schemes as per annual work plan.</p> <p>Contribute to the development of district- and VDC-wise post-ODF strategies in close collaboration with the D-WASH-CCs and V-WASH-CCs</p>

5	Establishment of District MIS	Maintain comprehensive District MIS of all existing water supply and sanitation schemes and feed to national MIS. Ref: Linking the existing FEDWASUN's national MIS effort with the district information needs and update, and further development of district-wide MIS	Provide necessary financial support to collect information from RWSSP WN supported WUSCs.  Contribute to the further development of District MIS concept, its testing and launching in close collaboration with D-WASH-CCs and V-WASH-CCs
6	Promoting good governance in WASH Sector.	Participate in different district level planning and coordination meetings.  Advocate on behalf of un-served population/VDC on equitable allocation of resources.	Participate in different district level planning and coordination meeting.  Advocate principles of good governance in RWSSP-WN II schemes, and share best practices across the different stakeholders.
7	Post Construction Support Services	Facilitate establishing linkage between DDC, GoN agencies, Private sector/markets, I/NGOs and other agencies for effective post construction support to the community.  Assist WUSCs finding post construction support from different government and non-government agencies.	Provide necessary support network establishment.  Support developing post construction service package for completed water supply and sanitation schemes.
8	Water Safety Plans (WSP)	Provide training to WUSCs for WSPs and operation and maintenance regulation formulation.  Monitor WSP implementation in periodic basis and submit the report.	Provide training FEDWASUN staffs for WSP formulation.  Identify the schemes and VDCs and budget accordingly for WSPs in the annual district work plans.  Monitor the WSP formulation process and its application.
9	Share the examples in different forums through case studies and research.	Study and document the success stories and share it with member water users' committees and other stakeholders in different forums.	Provide necessary support for case studies.  Share the experiences
10	Monitoring and evaluation.	Participate in different district and village level monitoring and evaluation processes and provides feedback to DDC/RWSSP-WN II.	Invite FEDWASUN for monitoring and evaluation of VDC/scheme level activities.  Involve FEDWASUN in impact and other RWSSP-WN II in-house monitoring studies as appropriate in each district.