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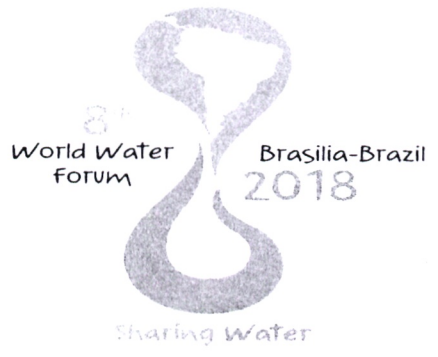
THIRD SESSION, 2019

SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND  
NATURAL RESOURCES

REPORT ON THE 8<sup>TH</sup> WORLD WATER FORUM HELD AT BRASILIA,  
BRAZIL FROM 18<sup>TH</sup> – 23<sup>RD</sup> MARCH, 2018

KENYA DELEGATION REPORT

Clerk's Chambers,  
Parliament Buildings,  
P. O. Box 41842-00100,  
NAIROBI.



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## List of Abbreviations/ Synonyms

1. AfDB - Africa Development Bank
2. AfWA - Africa Water Association
3. AWSB - Athi Water Services Board
4. CEO - Chief Executive Officer
5. IDB - Inter-American Development Bank
6. IHP - International Hydrological Programme
7. MTEF - Medium Term Expenditure Framework
8. NCWSC - Nairobi City Water and Sewerage Company
9. NGO - Non Governmental Organization
10. NRW - Non-Revenue Water
11. PES - Payments for Ecosystems Services
12. SDGs - Sustainable Development Goals
13. SPIC - Science Policy Interface Colloquium
14. SWA - Sanitation and Water for all
15. SWG - Sector Wide Groups
16. UNESCO - United Nations Educational, Scientific and Cultural Organization
17. USAID - United States Agency for International Development
18. WWC - World Water Council

## PREFACE

**Mr. Speaker sir,**

The Standing Committee on Land, Environment and Natural Resources is established pursuant to Standing Order No. 212(3).

As set out in the Second Schedule, the Committee's assigned subject matter is to consider all matters relating to lands and settlement, housing, environment, forestry, wildlife, mining, water resource management and development.

### *Committee Membership*

- |   |                           |
|---|---------------------------|
| <b>1. Sen. Mwangi Paul Githiomi, M.P.</b> | <b>- Chairperson</b>      |
| <b>2. Sen. Prengei Victor, M.P.</b>       | <b>- Vice Chairperson</b> |
| <b>3. Sen. George Khaniri, MGH, M.P.</b>  | <b>- Member</b>           |
| <b>4. Sen. Godana Hargura, M.P.</b>       | <b>- Member</b>           |
| <b>5. Sen. Mwaruma Johnes, M.P.</b>       | <b>- Member</b>           |
| <b>6. Sen. Slyvia Kasanga, M.P.</b>       | <b>- Member</b>           |
| <b>7. Sen. Ndwiga Peter Njeru, M.P.</b>   | <b>- Member</b>           |
| <b>8. Sen. Halake Abshiro, M.P.</b>       | <b>- Member</b>           |
| <b>9. Sen. Boy Issa Juma, M.P.</b>        | <b>- Member</b>           |

I am pleased to present and table the Committee's report on the 8th World Water Forum. This report contains the events attended by the Committee representation in Brasilia, Brazil 8<sup>th</sup> World Water Conference.

The Committee was represented by the Chairperson Sen. Mwangi Paul Githiomi, MP and Sen. George Khaniri, MGH, MP a member of the Committee and also a member of the Parliamentary Service Commission. The secretary to the delegation was Mr. Victor Bett the Committee Clerk

## ACKNOWLEDGEMENT

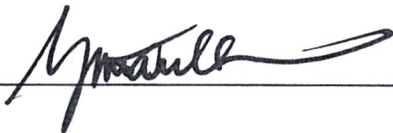
The Committee wishes to acknowledge the time and considerable effort made by all parties who volunteered information before it. I also wish to express my gratitude to my colleagues for their thoughtful and considerate contributions to the matter. Further the Committee is indebted to the Office of the Speaker and the Clerk of the Senate for facilitating this activity. We also wish to recognize the commitment and dedication of the Committee Secretariat that made the work of the Committee and the production of this report possible.

The Committee would like to recognize the overwhelming support and hospitality it received from the Kenyan Embassy in Brasilia, Brazil headed by the Ambassador, H.E Isaac Ochieng' who was also the head of the Kenyan Delegation at the Conference.

**Mr. Speaker Sir,**

It is now my pleasant duty to table the report of the Senate Standing Committee on Land, Environment and Natural resources in relation to the Committee's participation in the 8<sup>th</sup> World Water Conference held in Brasilia, Brazil from 18<sup>th</sup> – 23<sup>rd</sup> March, 2018 .

Signed: \_\_\_\_\_



**SEN. MWANGI PAUL GITHIOMI, M.P. - CHAIRPERSON**

**SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES**

Date: \_\_\_\_\_

23-10-2019



# CHAPTER ONE

## **Background**

The 8th World Water Forum was organized in the city of Brasília, Brazil from 18<sup>th</sup> – 23<sup>rd</sup> March, 2018 by the World Water Council (WWC) in collaboration with the Government of Brazil. More than 120.2 thousand people from 172 different countries attended the seven days Forum. Of these, 109.6 thousand visited the Citizen Village and the Fair; and 10.6 thousand were participants in more than 300 thematic sessions at the Ulysses Guimarães Convention Center and visited the Expo at the the National Stadium.

## **Forum Main Opening plenary**

The opening session was attended by 12 Heads of State and Government, as well as high-level international authorities, and the event had the participation of representatives of important international bodies such as the United Nations and its agencies, European Union, World Bank, Inter-American Development Bank (IDB), Portuguese Speaking Countries (CPLP), and OECD among others.

The forum, whose theme was “**Sharing Water**”, was organized through five interlinked processes namely; Political, Thematic, Regional, Citizens’ forum and Sustainability Focus group. The Political Process had four sub-processes: Governments; Parliamentarians; Local and Regional Authorities; and Judges and Prosecutors.

## **Kenyan Delegates Participation in the Forum**

The Cabinet Secretary, Ministry of Water and Sanitation had been invited by the Government of Brazil to lead the Kenyan delegation in participating in the forum but due to other official commitment he couldn’t attend. He therefore sent a delegation of 4 officers (Secretary Administration, Director Water Resources, CEO Athi Water Services Board and Ministry’s UNESCO Desk Officer) from the Ministry. The delegation teamed up with the Kenyan Ambassador in Brazil H.E Isaac Ochieng’ (as Head of the Delegation) and his staff; Two (2) Kenyan Senators from the Senate Committee on Land, Environment and Natural Resources and the Committee’s Clerk; One (1) Governor; Three (3) Kenyan parliamentary committee members on Environment and Natural Resources and the Committee’s Legal Counsel; Two Representatives from Nairobi City Water and Sewerage Company and Three (3) representative from the water sector in Meru county. (**Annex 1: Delegates list**)

## Ministerial Conference under Political Process

### Plenary

The Ministerial Conference was attended by 56 Ministers and 14 Deputy Ministers from 56 countries.

### Ministerial Statement

The Kenyan Ambassador to Brazil (Head of the Delegation) read the Ministerial Statement on behalf of the Cabinet Secretary. (**Annex III: Kenyan Ministerial Statement**)

**Roundtables – discussions:** Six ministerial roundtables were organized on the following themes:

- i. **Climate** - Water security and climate change
- ii. **People** – Water, sanitation and health
- iii. **Development** – Water for sustainable development
- iv. **Urban** – integrated urban water and waste management
- v. **Ecosystems** – water quality, ecosystem livelihoods and biodiversity
- vi. **Finance** – Financing for water security

Each of the above roundtables considered 3 cross-cutting themes, namely: **Sharing-** sustainability through stakeholder involvement; **Capacity-** education, capacity building and technology exchange; **Governance-** water governance for the 2030 Development Agenda.

Kenya Participated in the Financing for Water Security led by the Head of the Delegation. Key message from this thematic theme:

- Include payments for ecosystems services (PES) to promote nature-based solutions financial and regulatory tools to achieve inclusive services (rural and Peri-urban areas) and attracting new players, including the private sector.
- Strong synergies exist between the water-related SDGs and adaptation to climate change targets. To achieve both, it is crucial to invest in water governance (integrity, transparency and accountability), and enabling environment at multilevel (national and subnational). These are key factors to mobilize additional financing tools including domestic and climate finance.



Figure 1: The Kenyan Ambassador to Brazil reading the Ministerial Statement on behalf of the Cabinet Secretary



- Clear regulation is a prerequisite for public and private investments in water security, which can be effectively implemented through public/public and public/private cooperation. Multipurpose infrastructure- including water storage solutions – can contribute to the SDG’s and adaptation targets, and should be designed to maximize social and environmental benefits. Key messages of the other forum themes are in **Annex IV**.

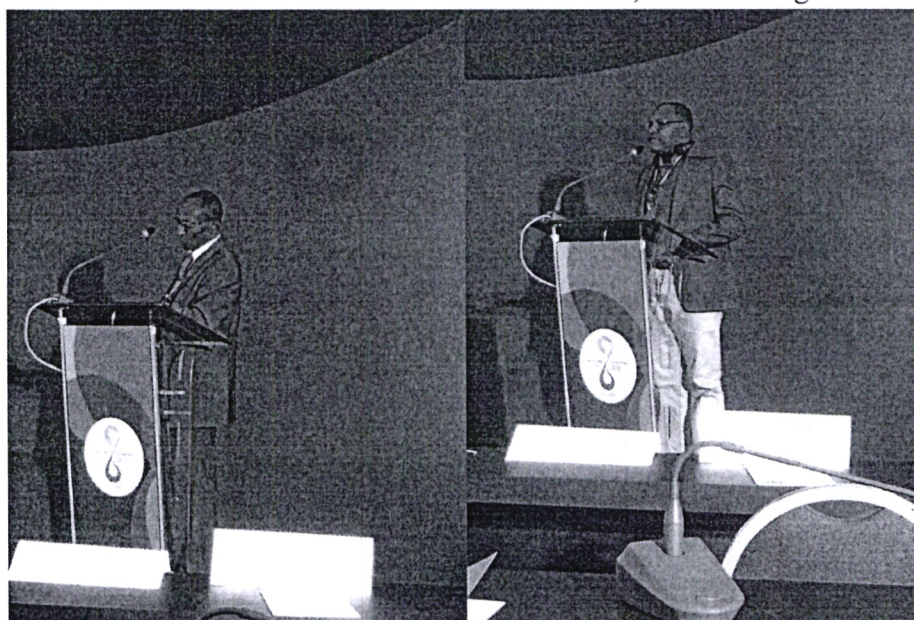
### **Ministerial Declaration:**

The agreed Ministerial Declaration entitled **“Urgent call for decisive action on water” Annex V**, as a result of the discussions between Ministers and heads of delegations from more than 100 countries. The document defines priority actions to meet the challenges related to access to water and sanitation.

The Forum had a major innovation: the participation of the Judiciary, a court level instance that has the final word on disputes involving water resources. The Conference of Judges and Prosecutors was attended by 83 judges, prosecutors, and experts from 57 countries and as a result issued a document, the “Charter of Brasilia”.

The Global Institute of the Public Prosecutors Office, which brings together members of public prosecution offices of the various nations of the world around topics related to the protection of natural resources, and they also drew up the “Declaration of the Public Prosecutor Office on the Right to Water, which was signed by nine countries.

At the Parliamentary Conference, 134 parliamentarians from 20 nations have produced as the final document: the Parliamentary Declaration, which recognizes the importance of the efforts



**Figure 2: Senator Mwangi Githiomi (left) and Hon. (Eng) Paul Musyimi Nzengu (right) making interventions.**

of parliamentarians to ensure water security, universal access to drinking water, elimination of inequalities and promotion of sustainable development.

Local and regional authorities launched the. The **“call to Action of local and Regional Governments on Water and Sanitation of Brasilia”** conference had the participation of 150 city mayors, governors, and state



legislators, which intend to adopt a shared goal for a better and more sustainable future, in which everyone has access to water and sanitation and where water is managed in a way which ensures a healthy and sustainable environment for future generations. The Parliamentarians together signed their Manifesto that is annexed to this report (**Annex II**).



**Figure 3: Delegates at the 8th World Water Forum held on 19<sup>th</sup> March, 2018. From behind on the left Hon. Peter Kimari Kihara, Senator Mwangi Githiomi, Senator George Khaniri, MGH and Hon. (Eng) Paul Musyimi Nzengu (at the front).**

The “Sustainability Declaration” makes a call for the mobilization of all parties to ensure a sustainable future for the planet and the commitment to meet the growing challenges of water-related issues.

The Expo and the Fair of the 8th World Water Forum featured 87 exhibitors representing different social sectors: national pavilions, public and private companies, as well as civil society organizations and associations.

The 8<sup>th</sup> Forum also occupied other spaces of the city, with sports and cultural activities on the Margins of Lake Paranoá, with movie screenings at Cine Brasília and activities related to the Sustainable Development Goals in the Planetary.

Educating, raising awareness and entertaining were the main goals of the Citizen Village, an absolute success with the public. The space offered a wide agenda of activities every day, to dozens of schools around the Federal District, in addition to children, young people and families who were delighted with the interactive activities, experiments, virtual reality, workshops and films.

The Kenyan delegation also had an opportunity to interact with the Kenyan Embassy in Brazil at well-organized dinner and a courtesy call to the Kenyan Mission.





**Figure 4:** The Kenyan delegation also had an opportunity to interact with the Kenyan Embassy in Brazil at a well-organized dinner and a courtesy call to the Kenyan Mission on 23<sup>rd</sup> March, 2018.

The Citizen Village was also the stage for important discussions about the water crisis, sanitation, and participatory management of water, and opened its arena for the participation of groups of young people, women, indigenous peoples, non-governmental organizations and rural communities.

### **Thematic meetings**

- High level panel on financing Sanitation, Director Water Resources (Mr. Chrispine Omondi Juma) participated as one of the discussant. He comprehensively discussed two questions from the panel moderator.



**Figure 3:** High level panel on financing Sanitation, Director Water Resources (Mr. Chrispine Omondi Juma) participated as one of the discussants



*Q1. In some cities (of which Nairobi is a good example) future sanitation financing is severely hampered by arguments among the water boards and water service providers about their responsibilities. How will you as a Minister help to resolve those arguments in order to enable the finance to flow into sanitation?*

*Q2. How can outsiders such as the World Water Council help you to persuade the Minister of Finance to release five times as much money for sanitation in the future as in the past (unlike the current allocation)?*

**Session: “Connecting Cities with their Basins for a Water Secure Future” by Eng. Nahason Muguna**

The session was co-organised by IWA, WWC and ANA (National Water Agency of Brazil) under the topic- “Water and Cities in the **urban theme**.”

As one of the keynote speakers, Eng. Nahason Muguna (Ag. Managing Director) from NCWSC discussed and responded to “disruptions of freshwater supply resources to cities and what actions need to be taken to achieve sustainable management of basins into the future”. He mentioned the Nairobi water sources, billing efficiency and reduction of Non-Revenue Water (NRW) strategies. The security measures put in place along the supply lines from the sources to the city and the equitable distribution of water program as a result of high demand and low supply.

Official Launch of Survey on “Increasing Financial Flows for Urban Sanitation” by the World Water Council during the Forum- Nairobi County is one of the cities the survey covered.

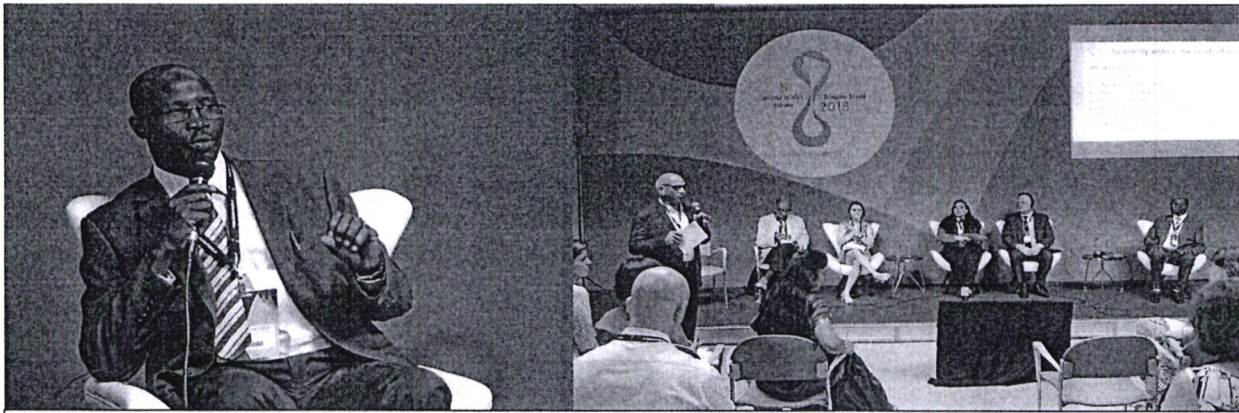
**SESSION: Putting necessary building blocks to reach sanitation for all by Mr. Benjamin Mukomen (Ministry of Health)**

The session was organised by FANSA, IRC, CAESB, Sanitation and Water for all (SWA) secretariat and Ministry of Health Kenya.

The session focused on;

- i. People excluded, unserved or underserved in creating access to sanitation, or
- ii. Looking at financing, accountability and monitoring and evaluation building block which is necessary to achieve sanitation for all-leaving no one behind
- iii. Challenges in integrating the Building blocks into the policy and practice





**Figure 5: (Left) Benjamin Mukomen making a presentation on putting necessary building blocks to reach sanitation for all in Kenya and (Right) the Discussants on the same topic**

For countries to achieve SDG 6, the following building blocks should be put in place;

- a) **Policies and strategies:** The strategy addresses the all WASH sub-sectors and bolstered by decentralized plans to scale-up the reduction of open defecation in rural districts. The equity of resource allocation, particularly for targeting vulnerable groups,
- b) **Institutional arrangements:** Separation and clarification of roles for all subsectors—especially rural and urban sanitation—including for governance, regulation, ownership and operations
- c) **Financing:** Public funding to the sectors to be increased to address Sanitation challenges. Utilization of Existing Resources: From private sector, WASH partners, Donors, Public resources (County & National), and households, Budgeting Processes (PBB): Coordination of partners/ Community to utilize county and National budget Planning circles (One Plan), Ending open defecation Micro-planning at counties. Strengthening Medium term expenditure Framework (MTEF/MTPIII) processes through sector wide groups (SWG). Supporting counties to include sanitation issues in their county plans (CIDPs)
- d) **Planning Monitoring and review:** A monitoring framework supported by an information system which integrates data on water and sanitation services in the education sector is in place. Next steps will be to include health facilities.
- e) **Capacity development:** While finance for a national network of environmental health workers is available they have very limited operational funding and no capital funding to subsidize sanitation. Comparatively, the rural water and sanitation subsectors lack adequate management systems, finance and capacity to expand, and maintain services.



## Bilateral meetings

### Meeting WWC president

Kenya has a close relationship with World Water Council (WWC) and Nairobi City Water and Sewerage Company is a board member following an election held in 2015 for a three year term- this is the first time ever an African utility/organization is elected to the 35 member Board, the



Figure 6: Eng. Mwangi Thuita CEO AWSB (2<sup>nd</sup> left), President WWF Benedito Braga (5<sup>th</sup> from left), Amb. Isaac Ochieng-Kenyan Ambassador to Brazil (next to Mr. Braga) Joseph Keter MWS Administrative Secretary, Eng. Nahashon Muguna MD NCW&SC

highest organ and the Council's think tank. The last WWC board meeting was held in June 2017 Nairobi, Kenya. Through the Board, a local consultant was appointed to collect water and sanitation data of the county. Currently Nairobi is in the process of getting sanitation project by AfDB, a member of the Board at WWC, at estimated cost of Kshs. 4 billion for Riruta and Kawangware, Embakasi, KPA and Utawala.

The 9<sup>th</sup> WWF (World Water Forum) will be held in Dakar, Senegal in 2021. The WWC normally organises the forum in conjunction with the host country. During the meeting, the WWC President called upon Kenya government to assist in making the forthcoming Forum in Africa a success.

WWC has proposed the forum pre-conference to be hosted in Kenya and necessary official communication and other logistics will be communicated in due course.



## UNESCO IHP

The Ministry delegation held a bilateral meeting with UNESCO IHP and the deliberations of the meeting are as highlighted below:

1. In June 14<sup>th</sup> 2018, Ministers in charge of water resources will convene at UNESCO's Headquarters in Paris to present and discuss the progress made thus far in implementing SDG 6 and other water related targets. The objective of the meeting is to report their countries' accomplishments during implementation of the 2030 Sustainable Development Agenda water related goals, bring up the challenges and gaps. This one-day meeting will be the 1<sup>st</sup> Water Science – Policy Interface Colloquium (SPIC Water) taking place during IHP's 23<sup>rd</sup> Intergovernmental Council session.

In this context, IHP as an intergovernmental platform brings together policy makers to discuss challenges, gaps and the way forward to implement the 2030 Agenda in the domain of water. The aim is to identify how IHP may better assist countries to elaborate a Scientific, Technological and Capacity development agenda to accompany them in their endeavours

A launch of the UN Synthesis Report is going to set the stage and key speakers will participate in the panels and add to the Ministerial statements elements on the interlinkages between IHP activities and the SDGs.

It is envisioned that messages from the Colloquium will be presented in a side event during the upcoming High Level Political Forum, taking place from 9<sup>th</sup> to 18<sup>th</sup> July in New York, where progress towards achieving several of the Sustainable Development Goals including SDG 6 on Water and Sanitation will be examined.

2. UNESCO-IHP (International Hydrological Programme) is coming up with a programme "emerging cities" and they are planning to launch the programme on 14<sup>th</sup> June 2018 in Paris, France during the IHP Intergovernmental Council meeting.

They have invited the Cabinet Secretary, Ministry of Water and Sanitation to join the programme and also to be present during the launch at a ministerial meeting. The programme concept and the invitation letter will be shared in due course.

3. IHP is partnering with Korea Water Security Institute on building the capacity of water sector institutions in water security approaches. The delegates highlighted some of the areas that Kenyan water sector require capacity building are: waste water management, storm water management, Managed Aquifer Recharge (MAR)/Artificial groundwater recharge, water recycle and reuse, dam design and construction, catchment conservation and protection approaches as well as Desalination

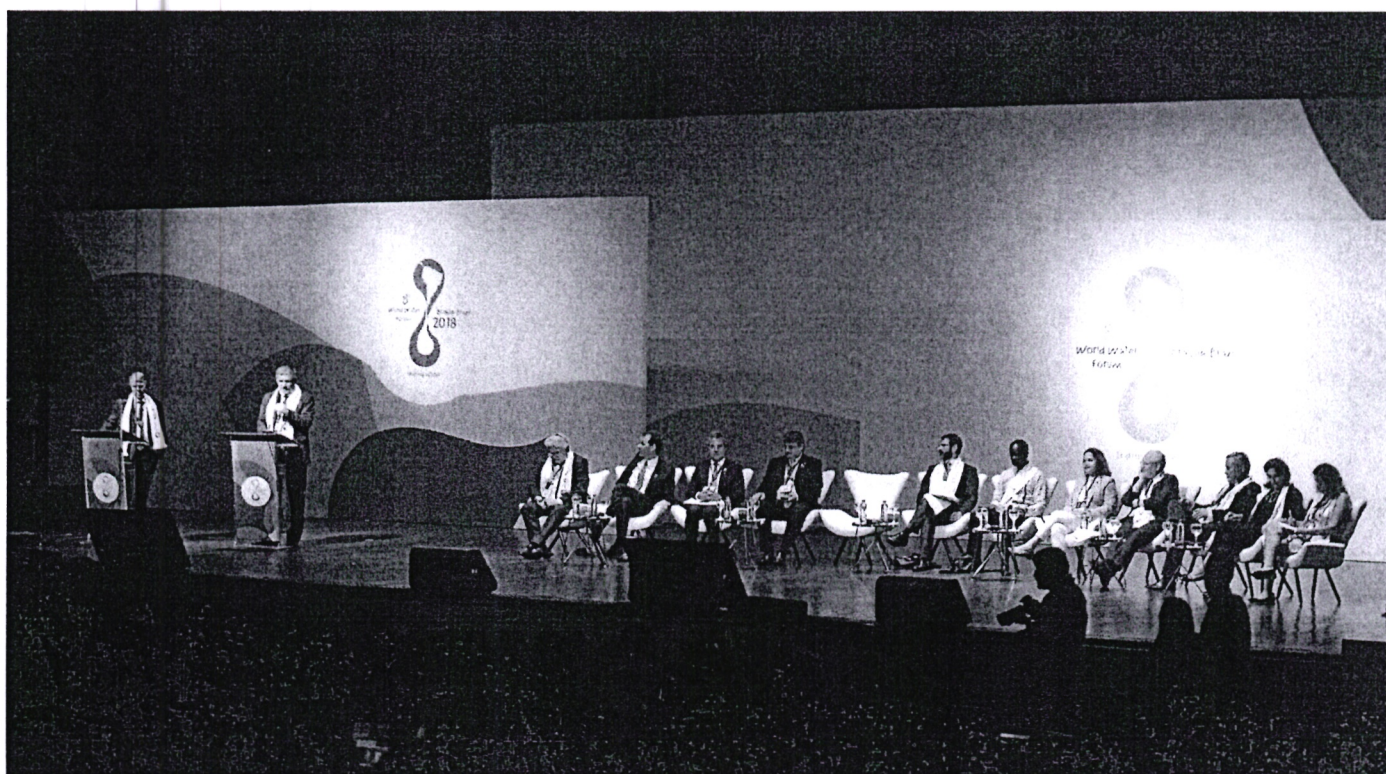
During the bilateral meeting, UNESCO-IHP advised Kenyan Delegation to prepare and share a matrix framework on technical capacity building areas for funding.

Other Bilateral Talks between Ag. Managing Director NCWSC and related development Partners on various water, sanitation and cooperation with;



- Africa Water Association (AfWA) Executive Director on closer cooperation and partnerships with various stakeholders including USAID, in East Africa region. AfWA officials will visit Nairobi with a view to having a meeting with USAID and NCWSC. The meeting is scheduled to take place on 13<sup>th</sup> April 2018.
- IWA President- enhanced cooperation between the two organizations. Nairobi hosts IWA Africa region office.

### **Closing session and the passage of the flag to Senegal**



**Figure 7: The 8<sup>th</sup> WWF closing Ceremony: Presentation of the results, delivering the Kyoto Prize and the statements of the authorities**

The closing ceremony of the 8th World Water Forum was marked by the celebration of the success of the Brazilian edition of the event on 23<sup>rd</sup> March, 2018 at the Ulysses Guimarães Convention Center. After presenting the results, delivering the Kyoto Prize and the statements of the authorities, the flag of the World Water Forum was passed to the Delegation of Senegal, where the 2021 edition will be held.

Members of the organizing committee presented the results obtained in the 8th edition of the event.



## **The 9th World Water Forum**

In three years, the World Water Forum will return to the African continent, where it originated in Morocco in 1997. Cristiane Dias Ferreira, the representative of the Federal Government, Director-President of the National Water Agency (ANA), the Governor of the Federal District, Rodrigo Rollemberg, the President of the World Water Council, Benedito Braga, the Executive Director of the 8th World Water Forum, Ricardo Andrade and the co-president of the Organizing Committee of the 8th World Water Forum, Paulo Salles, along with other members of the organizing committee, exchanged gifts with the members of the Preparatory Committee of the 9th World Water Forum, which will be held in Dakar, Senegal.

The passing of the World Water Forum flag symbolized the restart of the continuous work of the World Water Forum. Those present watched a video about the host country of 2021. In his speech, the Minister of Water and Sanitation of Senegal, Mansour Faye, praised the execution of the Brazilian forum and announced the theme of the next edition as “water security”.

## **Mission Way forward/Recommendations**

1. The Cabinet Secretary is expected to participate in the UNESCO-IHP Ministerial meeting on 14<sup>th</sup> June, 2018 during IHP Intergovernmental Council. The meeting Concept Paper and the official invitation letter will be shared soon for early preparation.
2. Parliament should be able to streamline legislation in the Water Sector to ensure that there are no overlaps between a particular legislation and the other.
3. The delegates wish to initiate managed aquifer recharge programme – in Nairobi as the Nairobi groundwater levels have declined due to over-abstraction. This programme when implemented will increase the water availability and storage, improve the groundwater quality, reduce the cost of borehole drilling and raise the stability of the city building foundation.
4. The 9<sup>th</sup> WWF pre-conference will be held in Nairobi Kenya, WWC expect Kenya to support Senegal towards the preparation of 9<sup>th</sup> WWF.

The delegates propose early preparation for the pre-conference and well-outlined mechanism to support Republic of Senegal in the forum preparations including preparation of a Kenyan Water Sector exhibition stand during the forum.

## Annex I

1	Joseph Keter	Ministry of Water and Sanitation
2	Chrispine Omondi Juma	Ministry of Water and Sanitation
3	Thuita Mwangi	CEO; Athi Water Service Board
4	Agnes Mbugua	Ministry of Water and Sanitation
5	Eng. Nahason Muguna	Ag.MD; Nairobi Water Company
6	Mbaruk Vyakweli	Cooperate Affairs Manager; Nairobi Water Company
7	Benjamin Murkomen	Ministry of Health
8	Gov. Wilbur Ottichillo	Vihiga County
9	Sen. Mwangi Githiomi	Senate
10	Sen. George Khaniri	Senate
11	Victor Bett	Senate (Clerk)
12	Hon. (Eng) Paul Musyimi Nzengu	National Assembly
13	Hon. Peter Kimari Kihara	National Assembly
14	Hon. Rehema Hassan	National Assembly
15	Salem Lorot	National Assembly (Clerk).
16	Romano Mwito	County government of Meru
17	George Kimathi	County government of Meru
18	Misheck Mutuma	County government of Meru



## Annex II

### Conference on the Role of Parliaments and the Right to Water

#### PARLIAMENTARIANS' MANIFESTO

We, representatives of parliaments, participants of the 8th World Water Forum, gathered in Brasilia to discuss “The role of parliaments and the right to water”, on March 20, 2018, recognize the importance of the effort of parliamentarians to ensure water security, universal access to safe drinking water, elimination of inequalities and promotion of sustainable development. Within this context, we recall that:

- a) Water is an essential element for the maintenance of life with dignity, quality and health on the planet, for everyone’s development, the elimination of inequalities, the equilibrium of ecosystems, the production of food, the generation of clean energy and transportation.
- b) Access to drinking water and sanitation is a human right recognized by the United Nations (UN), according to resolution 64/292 of 2010. It’s just and equitable universalization is one of the targets of Sustainable Development Goal 6, which must be achieved through public policies and adequate legislative frameworks to guarantee water security and the progressive elimination of inequalities, being the duty of all countries to ensure this right domestically.
- c) As the global population and water consumption grow and inequitable practices persist, access to drinking water is becoming increasingly expensive and complex. All countries must reverse this negative trend and make the SDG vision a reality for all. Developing countries need to prioritize the right to drinking water and sanitation, but they need international cooperation to ensure this human right. On the other hand, developed countries have enormous potential for reducing their water footprint.
- d) Multilateral collaboration and partnerships at the national and global levels - amidst parliaments, governments, civil society, academia, international organizations and the private sector - are essential to ensure that SDG 6 is achieved by 2030.
- e) The Paris Agreement, signed in 2015, and the Nationally Determined Contributions (NDCs) are of enormous importance in the fight against global warming, the effects of which affect hydrological regimes, make water availability less predictable and increase the incidence of extreme events, such as droughts and floods, which consequently result in food insecurity and migration, to the detriment of peace.
- f) Good water governance is based on participatory and democratic processes that need to give more value to decisions taken at the national and international levels. The waters must be shared internally and externally by nations in a peaceful, just and sovereign manner.
- g) There is a need to share innovations, experiences, solutions – in an ever cost-effective manner – based on nature, public policies, legal frameworks and good practices developed in each of the participating countries to ensure efficiency in water use, resilience and adaptation to climate change, as well as in solving the challenges of management and use of water at environmental, social, economic, cultural and educational levels.



We, the representatives of parliaments participating in the 8th World Water Forum, gathered in the conference to discuss “The role of parliaments and the right to water”, in Brasília, commit to supporting the following initiatives to realize the human right to drinking water and sanitation:

1. Request that water security and sanitation be priorities in the allocation of budgetary and non-budgetary, national and international resources, to countries with difficult access to safe drinking water and sanitation. Encourage other countries to cooperate, including through water infrastructure and technology Political Process Parliamentarian Conference transfer, especially for the most vulnerable populations, traditional populations, indigenous and tribal peoples.
2. Encourage international organizations to increase the share of their budgets in the realization of the human rights to drinking water and sanitation, as well as for the application of the resources of the Climate Change Adaptation Fund to prioritize investments in water and sanitation. Offer more concessional funding to solve water and sanitation problems.
3. Promote the adoption of the necessary legislative framework and public policies to ensure water governance, the enjoyment of the human right to drinking water and sanitation, as well as work for the implementation and monitoring of public policies that improve the rational use of water, water efficiency in production processes, research and innovation in the areas of water and sanitation.
4. Support the ratification and implementation of international agreements on the issues of environment, forest, water and sanitation to integrate the global effort in the fight against climate change, the destruction of forests, and pollution of the environment and water resources, as well as ensure the protection of the rights of the most vulnerable populations. Above all, support policies to address the effects of climate change on water security to reduce the vulnerability of human populations and ecosystems.
5. Defend sustainable development so that the use of water by the agricultural, industrial and urban sectors is efficient and equitable, minimizing waste and negative impacts to surface and groundwater. Negative socio-environmental impacts on production costs need to be internalized.
6. Ensure the progressive elimination of inequalities in the fulfilment of the human rights to drinking water and sanitation, guaranteeing priority in the allocation of resources to the most vulnerable populations.
7. Promote debates and conferences with civil society on water and sanitation to share water use and management experience; improve the decision-making level of public policies, ensuring a significant participation from civil society, as Political Process Parliamentarian well as educational and research institutions; mainstream water and sanitation in basic education.
8. Ensuring a broad participation of civil society organizations is fundamental to deepen the understanding of current challenges in the elimination of inequalities, realizing the right to drinking water and sanitation through policies to improve water security.
9. Promote the necessary legal and economic security to strengthen the public and private sectors responsible for water supply and sanitation services, with a focus on universalization, transparency and tariff moderateness; guarantee transparency and social control over the sanitation and drinking water supply services.

10. Strengthen the International Network of Parliamentarians for Water by supporting cooperation amongst countries to solve problems related to water and sanitation, exchange best legislative practices, as well as initiating and refining water-related legislative proposals. Lead negotiations on cooperation, public policies and public budgets.

11. Ensure the debate in the Parliaments so that the human right to drinking water and sanitation is included in national legislation, in the Constitution or in non-constitutional legislation.

In conclusion, we, the representatives of parliaments, participating in the World Water Forum, agree to implement the following initiatives collaboratively:

- We commit to adopting the actions established in this Manifesto to strengthen the role of parliaments in the universalization of the human right to drinking water and sanitation.
- We reinforce the need to prioritize measures to mitigate climate change that are related to water security, protection of forests, incorporating water as a central component of adaptation actions.
- We commit to working globally with the many partners who promote the implementation of SDG 6 and guarantee human right to drinking water and sanitation.
- We request that the representatives of our countries support the proposals contained in this Manifesto, in the Paris Agreement and in the One Planet Summit, before the United Nations General Assembly.

On the eve of the International Day of Forests, March 21, and World Water Day on March 22, we, representatives of parliaments, participating in the World Water Forum, present, through this Manifesto, contributions to the achievement of universal access to water and sanitation and commit to implementing them.

This Manifesto aligns with the achievement of the United Nations' Sustainable Development Goals and the goals set out in the Paris Agreement.



## Annex III



### **NATIONAL STATEMENT BY MR. SIMON K. CHELUGUI, CABINET SECRETARY, MINISTRY OF WATER AND SANITATION, DURING THE MINISTERIAL CONFERENCE, AT THE 8<sup>TH</sup> WORLD WATER FORUM, BRASILIA, BRAZIL 18<sup>TH</sup> -23<sup>RD</sup> MARCH 2018**

It is with great pleasure and honour for me to join you today in this Ministerial Conference as we mark the 8<sup>th</sup> World Water Forum. I wish to express my sincere appreciation to the people and the Government of Brazil for the warm hospitality accorded to my delegation since our arrival. We are all proud to be part of the big global family converging here to mark this year's world's largest event on water.

I am encouraged to note that the World Water Forum aims "to promote awareness, build political commitment and trigger action on critical water issues at all levels, to facilitate the efficient conservation, protection, development, planning, management and use of water in all its dimensions on an environmentally sustainable basis for the benefit of all life on Earth". We are aware of the various challenges encountered by our Governments in addressing the water issues, but it has been our desire to urgently call for decisive action on water for its sustainable management and development.

#### **Your Excellencies, Ladies and Gentlemen,**

My Country recognizes the potential water holds for addressing and complimenting our efforts in poverty alleviation, food security, stimulating sustainable socio-economic growth and reversing environmental degradation. In addition, Kenya lays a lot of emphasis on sustainable management of Her river basins, most of which are trans-boundary in nature. This World Water Forum therefore provides a platform for us to meet with other policy makers, researchers, non-governmental actors, among others, to work together, and to seek cooperative frameworks for sharing this scarce resource.

I call upon all of us to recognize the need for sound policies for promoting sustainable water resources management and the essential role of all stakeholders, including the private sector, in the planning and management of our water bodies. As Governments we also have a duty to ensure establishment of sustainable institutions at all levels, that is from community level, National, to Regional level management structures.

#### **Your Excellencies, Ladies and Gentlemen,**

In our efforts to address our water challenges, we continue to adopt measures that guide us in the sustainable management of our water resources. One such measure is the enactment of the National Water Act 2016 and operationalizing key institutions that will implement major

programmes such as assessing our water resources through partnering with local actors, Development Partners, NGOs and the private sectors. We have separated the role of water resources assessment from water service provision, which is now the function of country governments. This complimentary role is aimed at improving services to our people.

Furthermore, as a country we are collaborating in an open and transparent manner with other riparian states of the River Nile Basin in an effort for a win-win situation in the sharing of the Basin resources.

**Your Excellences, Ladies and Gentlemen,**

Towards domestication and/or localization of Sustainable Development Goals (SDGs), Kenya has undertaken a number of initiatives that include: mapping the SDGs with the Kenya Vision 2030; setting up an institutional framework; capacity building; advocacy and awareness creation; mainstreaming SDGs in policy and planning; and mapping SDGs indicators with national indicators, among others. This has been done with engagement of the stakeholders. Kenya has also set the baseline data for most of the indicators to be between 2014 and 2016, depending on the frequency of data collection. This was done when Kenya was selected among other countries to pilot implementation of the SDGs. However, inadequate baseline data on some of the indicators has proved a major challenge in measuring progress on implementation of the SDG 6.

My Ministry has therefore initiated an integrated water sector data and information system that will support policy formulation and to a larger extent the implementation of SDG 6 and its targets.

**Your Excellencies, Ladies and Gentlemen,**

As a Country, I am pleased to state that we fully appreciate and support the aims of this Ministerial Process on water sharing and as an urgent call for decisive action on water, the six themes of the Forum namely Climate, People, Development, Urban, Ecosystems, Financing; the cross-cutting themes namely Sharing, Capacity and Governance and finally the ultimate Forum Ministerial Declaration.

**Finally**, I wish to thank the forum secretariat for the 8<sup>th</sup> World Water Forum for the successful preparations and hosting of this year's World Water Forum.

**Thank you.**



## Annex IV

# KEY THEMATIC MESSAGES CLIMATE

- Projects should be situated within broader strategic investment pathways that enhance resilience and reduce risks
  - Adaptation measures should include both green and grey infrastructures including no-regret Nature-Based Solutions
  - Effective mitigation strategies based on water and land management are essential to reduce greenhouse gas emissions and respond to water security threats caused by climate change, including green infrastructure, water reuse, and nature-based solutions.
  - The scientific community must communicate climate impacts and vulnerability assessments to stakeholders involved in these policies.
-

## Annex V

### MINISTERIAL DECLARATION - AN URGENT CALL FOR DECISIVE ACTION ON WATER

We, the Ministers and Heads of Delegation assembled in Brasilia, Brazil, on 19th and 20th March 2018, during the Ministerial Conference of the 8th World Water Forum - "Sharing Water",

Recognizing that:

The Rio Declaration on Environment and Development, adopted in 1992; the outcome document of the United Nations Conference on Sustainable Development entitled "The Future We Want", adopted in 2012; the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs), adopted in 2015; the Sendai Framework for Disaster Risk Reduction 2015-2030, adopted in 2015; the Paris Agreement adopted under the United Nations Framework Convention on Climate Change in 2015; and the "New Urban Agenda" (Habitat III), adopted in 2016, all represent major milestones for addressing global sustainable development challenges;

Countries have reaffirmed, in the outcome document of the United Nations Conference on Sustainable Development, Rio+20, their commitments regarding the human rights to safe drinking water and sanitation, to be progressively realized for their populations with full respect for national sovereignty;

Water is a cross-cutting element of sustainable development, and in the challenge of eradicating poverty;

Water resources are indispensable for all living beings and for living in harmony and in balance with the planet and its ecosystems, recognized by some cultures as "Mother Earth";

All countries need to take urgent actions to tackle water and sanitation-related challenges;

Cooperation at all levels and across all sectors and stakeholders including the sharing of knowledge, experiences, innovation and, where appropriate, solutions is key to promote sustainable water management and to explore synergies with the several water related aspects of the 2030 Agenda for Sustainable Development;

The key role of the United Nations in promoting international water cooperation at the global level. Several of the principles of the relevant global Conventions on water can be useful in this regard;

Efforts and initiatives taken at all levels should promote the adequate and inclusive participation of all relevant stakeholders, particularly the most vulnerable and including local communities and indigenous peoples, youth, girls and women and those affected by water scarcity;

The global hydrological cycle, geological processes, climate, oceans and ecosystems are highly interdependent and all of them must be taken into consideration in the adoption of interdisciplinary, integrated and sustainable approaches for water management;

The Global High-Level Panel on Water and Peace has issued its report;



The World Water Forum, since its first convening in Marrakesh, in 1997, has contributed to the development of common understanding and to international dialogue on water, and has promoted local, regional and national action on integrated and sustainable water resources management worldwide.

We welcome:

1. The momentum provided by the 2030 Agenda for Sustainable Development, in particular SDG 6, to the 8th World Water Forum to foster action on initiatives related to water and sanitation;
2. The establishment of the High Level Panel on Water, co-convened by the Secretary General of the United Nations and the President of the World Bank and its contribution, and note the issuance of its report inspiring and promoting an integrated approach across governments and a new agenda for water action;
3. The adoption on 23rd December 2016 of UN General Assembly Resolution on International Decade for Action, Water for Sustainable Development, 2018-2028 and note the convening, pursuant to its paragraph 12, of two working-level dialogues to discuss improving the integration and coordination of the work of the United Nations on the water-related goal and targets;
4. The significant contributions of the 7th World Water Forum in the Republic of Korea, the Budapest Water Summit and the Stockholm Water Week to the preparation of the 8th World Water Forum;
5. The adoption in 2017 of UN Environment Assembly of the United Nations Environment Programme Resolution "Addressing water pollution to protect and restore water-related ecosystems";
6. The contribution made by all relevant stakeholders, including governments, civil society, academia, indigenous people and local communities and private sector, towards the development and implementation of positive and pro-active policies and cooperation on water issues, as well as of solutions that can be shared among countries and across stakeholders, with the source to sea perspective and using water as a connector;
7. The work of the National Governments; Local and Regional Authorities; Parliamentarian; and Judges and Prosecutors Sub-processes of the 8th World Water Forum and their contribution to the dialogue on water issues;
8. The development of potential strategies to improve means of implementation, such as finance, capacity building, education and voluntary technology transfer on mutually agreed terms, to support the development of sustainable water uses, including non-conventional water resources;
9. The engagement of the private sector and public owned companies to continue or improve the adoption of efficient water and sanitation related sustainability measures including through concrete commitments and in accordance with national water laws;

10. The formal participation of judges and prosecutors, for the first time, in the World Water Forum, enriching discussions that have benefitted from participation of national governments; local and regional authorities as applicable; and parliamentarians;
11. The results and the follow up of voluntary actions of the "Implementation Roadmap" adopted during the 7th World Water Forum;
12. The convening of the 8th World Water Forum Ministerial roundtables, and we note the moderators' reports, prepared under their own responsibility.
13. We present an urgent call for decisive action on water and declare that now is time to:
14. Renew and reinforce the political commitment to ensure implementation of immediate and effective action towards overcoming water and sanitation-related challenges in particular water scarcity in the context of climate change adaptation and achieving related Sustainable Development Goals and targets;
15. Invite the High Level Political Forum on Sustainable Development (HLPF) to note, in its review of Sustainable Development Goals, including SDG 6, the outcomes of the political, thematic, regional, sustainability and citizens processes of the 8th World Water Forum;
16. Invite the UN system to strengthen its support to countries in water matters and to improve the integration and coordination of the work of the United Nations on the water related goals and targets under its sustainable development pillar;
17. Encourage Governments to establish or strengthen national integrated water resources management policies and plans, including strategies for adaptation to climate change, with a view to achieving universal and equitable access to safe and affordable drinking water, to adequate and equitable sanitation and to reducing water pollution, and to protect and restore water related ecosystems, in line with SDG 6;
18. Support the strengthening of transparent, effective, inclusive and accountable national and, where appropriate, subnational water institutional arrangements, with participation of all relevant stakeholders and consideration of local circumstances in the policy-making process, while fostering necessary partnerships, confidence building, exchange and sharing of information and experiences among public, private and civil society actors;
19. Mobilize and allocate sufficient financial resources from multiple sources for the promotion of and investment in integrated and sustainable water management, especially oriented towards developing countries and addressing their specific challenges, vulnerabilities and risks, including disaster risk reduction;
20. Develop and share solutions including Integrated Water Resources Management and nature-based solutions, where applicable, to address the most pressing water and sanitation challenges, through research and innovation, upscaling cooperation on capacity building and technology transfer and other means of implementation and considering the impact of climate change;



21. Encourage transboundary cooperation based on win-win solutions, in accordance with applicable international law, namely relevant bilateral, regional and international instruments countries are party to;
22. Reinforce the urgent need to respect the right of every human being, irrespective of their situation and location, to safe drinking water and sanitation as fundamental human rights, provided for by the international human rights law, the international humanitarian law and the relevant international conventions as applicable.
23. Promote the potential of the young generation as agents for change and innovation in the search for solutions for water and sanitation challenges and implement and share water education policies and best practices on water and sanitation, benefiting from existing international centers as well as from UNESCOs expertise and network, including the International Hydrological Programme;
24. Take advantage of the networks and partnerships formed during the 8th World Water Forum, under its various processes, to promote the implementation of this declaration.

We thank the people and the Government of Brazil, the Government of the Federal District and the World Water Council for the hosting of the 8th World Water Forum and its participants.

**MINUTES OF THE 27<sup>TH</sup> MEETING OF THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON WEDNESDAY, 23<sup>RD</sup> OCTOBER, 2019 IN COMMITTEE ROOM 10, MAIN PARLIAMENT BUILDING AT 9.00 AM.**

**MEMBERS**

1. Sen. Mwangi Paul Githiomi, M.P.
2. Sen. Prengei Victor, M.P.
3. Sen. Godana Hargura, M.P.
4. Sen. Ndwiga Peter Njeru, EGH, M.P.
5. Sen. George Khaniri, MGH, M.P.
6. Sen. Boy Issa Juma, M.P.
7. Sen. Halake Abshiro, M.P.

**PRESENT**

- **Chairperson**
- **Vice Chairperson**
- Member
- Member
- Member
- Member
- Member

**ABSENT WITH APOLOGY**

1. Sen. Mwaruma Johnes, M.P. - Member
2. Sen. Slyvia Kasanga, M.P. - Member

**IN ATTENDANCE**

**SENATE SECRETARIAT**

1. Mr. Victor Bett - Clerk Assistant
2. Ms. Caroline Cheruiyot - Legal Counsel
3. Mr. Abdalla Mbore - Sergeant at arms
4. Mr. Eugene Luteshi - Audio Recording

**MINUTE SEN/SCLNDR/157/2019: PRELIMINARIES**

The meeting was called to order at 11.30am by the Chairperson followed by a word of prayer.

**MINUTE SEN/SCLNDR/158/2019: ADOPTION OF AGENDA**

The agenda was therefore proposed by Sen. Halake Abshiro, M.P. and seconded by Sen. Godana Hargura, M.P as follows.

1. Preliminaries;
  - *Prayer*
  - *Chairpersons remarks*
2. Adoption of the agenda;
3. **Adoption of Committee Reports;**
4. Any other Business;
5. Date of the next meeting;
6. Adjournment.



**MINUTE SEN/SCLNDR/159/2019:**

**CONFIRMATION OF MINUTES**

The Minutes of the 24<sup>th</sup> sitting held on 25<sup>th</sup> September, 2019 were confirmed as a true record of the proceedings having been proposed and seconded by Sen. Ndwiga Peter Njeru, M.P. and seconded by Sen. Godana Hargura, M.P. respectively.

The Minutes of the 20<sup>th</sup> sitting held on 12<sup>th</sup> August, 2019 were confirmed as a true record of the proceedings having been proposed and seconded by Sen. Halake Abshiro, M.P. and seconded by Sen. Boy Issa Juma, M.P. respectively.

The Minutes of the 11<sup>th</sup> sitting held on 4<sup>th</sup> April, 2019 were confirmed as a true record of the proceedings having been proposed and seconded by Sen. Ndwiga Peter Njeru, M.P. and seconded by Sen. Boy Issa Juma, M.P. respectively.

The Minutes of the 5<sup>th</sup> sitting held on 20<sup>th</sup> February, 2019 were confirmed as a true record of the proceedings having been proposed and seconded by Sen. Prengei Victor, M.P. and seconded by Sen. Halake Abshiro, M.P. respectively.

**MINUTE SEN/SCLNDR/160/2019:**

**MATTERS ARISING**

There were no matters arising.

**MINUTE SEN/SCLNDR/161/2019: ADOPTION OF COMMITTEE REPORTS**

The following reports were adopted by the Committee:

- (a) Report on the Petition regarding Adverse environmental and social effects arising from the construction of Phase 2A of the Standard Gauge Railway (Nairobi – Naivasha Section);

The report was adopted after having been proposed and seconded by Sen. Godana Hargura, M.P. and Sen. Halake Abshiro, M.P. respectively.

- (b) Report on the Petition regarding Budgetary support to Wildlife Conservancies for sustainable conservation and community development;

The report was adopted after having been proposed and seconded by Sen. Prengei Victor, M.P. and Sen. Boy Issa Juma, M.P. respectively.

- (c) Report on the Petition regarding Alleged unlawful deprivation of a parcel of land situated in Kaputiei North, Kajiado County;

The report was adopted after having been proposed and seconded by Sen. Godana Hargura, M.P. and Sen. Ndwiga Peter Njeru, M.P. respectively.

- (d) Report on the Petition regarding Ownership of Mgeno Land Reserve;

The report was adopted after having been proposed and seconded by Sen. Godana Hargura, M.P. and Sen. Prengei Victor, M.P. respectively.

- (e) Report on the Petition regarding Non-payment of compensation for land compulsorily acquired to construct Mwatate-Taveta-Holili Road;

The report was adopted after having been proposed and seconded by Sen. Boy Issa Juma, M.P. and Sen. Halake Abshiro, M.P. respectively.

- (f) Report on the Petition regarding the Alleged grabbing of the part of the land allocated for settlement of the Petitioners at Kiang'ombe Squatters Settlement Scheme in Thika sub-County, Kiambu County

The report was adopted after having been proposed and seconded by Sen. Ndwiga Peter Njeru, M.P. and Sen. Halake Abshiro, M.P. respectively.

- (g) Report on the Petition regarding the effects of iron ore mining at Kishushe in Taita Taveta County.

The report was adopted after having been proposed and seconded by Sen. Prengei Victor, M.P. and Sen. Ndwiga Peter Njeru, M.P. respectively.

- (h) Report regarding the Committee's participation in the 8<sup>th</sup> World Water Conference held in Brasilia, Brazil from 18<sup>th</sup> – 23<sup>rd</sup> March, 2018;

The report was adopted after having been proposed and seconded by Sen. George Khaniri, M.P. and Sen. Boy Issa Juma, M.P. respectively.

- (i) Report regarding the Committee's participation in the 14<sup>th</sup> Annual General Meeting (AGM) of the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) on Modern Mining Law and Policy 16<sup>th</sup> – 18<sup>th</sup> October, 2018.

The report was adopted after having been proposed and seconded by Sen. George Khaniri, M.P. and Sen. Prengei Victor, M.P. respectively.

- (j) Report regarding the Committee's participation in the 18<sup>th</sup> meeting of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Conference of the Parties (CoP 18) that was held in Geneva, Switzerland from 17<sup>th</sup> – 28<sup>th</sup> August, 2019.

The report was adopted after having been proposed and seconded by Sen. Boy Issa Juma, M.P. and Sen. Prengei Victor, M.P. respectively.

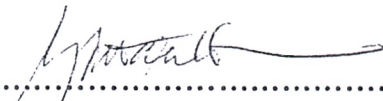
**MINUTE SEN/SCLN/162/2019: ANY OTHER BUSINESS;**

There were no other matters discussed during the meeting.



**MINUTE SEN/SCLN/163/2019: DATE OF NEXT MEETING;**

The meeting was adjourned at 10.29 am and the next meeting was to follow thereafter.

SIGNATURE.......... DATE.....23-10-2019.....

**(CHAIRPERSON: SEN. MWANGI PAUL GITHIOMI, MP.)**