

STANDARDS ALLIANCE PHASE 2

Plumbing the Legal Depths — Creating a Pipeline Between Legal Enabling and NQI

OVERVIEW

The Standards Alliance’s Plumbing the Legal Depths activity performs diagnostics of the existing legal, policy and institutional frameworks governing National Quality Infrastructure (NQI) related to the water, sanitation, and hygiene (WASH) sector. These diagnostics assess the enabling environment to increase access to drinking water and sanitation, support the adoption and application of international WASH standards, and enable the removal of WASH NQI barriers to trade in WASH products. Legal gaps and shortcomings will be identified, and recommendations made on how these gaps can be addressed by aligning them to international standards and best practices. Further, the findings and recommendations will be validated with stakeholders and completed reports will be disseminated widely with government agencies, creating opportunities for reform. The target countries for our work are Ghana, Uganda, and Zambia. All work will be conducted virtually. This project will be implemented by The Center for Water Security and Cooperation (CWSC) with the International Association of Plumbing and Mechanical Officials (IAPMO) through USAID’s public-private partnership with the American National Standards Institute (ANSI), the Standards Alliance: Phase 2. CWSC will lead the project and IAPMO will support CWSC deskwork, fieldwork, and preparation and hosting of virtual educational and engagement sessions.

OBJECTIVES

The purpose of the project is to accelerate citizen’s access to water and sanitation services and facilitate the improvement of National Quality Infrastructure (NQI) as related to the WASH sector. Laws, regulations, policies, and standards create the foundation for achieving universal access to safely managed water and sanitation services and for a vibrant, open market in WASH products. For example, the law may state that contamination or release of pollution into the environment is prohibited. This prohibition of environmental pollution creates an obligation to not pollute, which when complemented by enforcement actions, such as the assessment of financial and criminal penalties for failure to comply, create a demand for products and services that prevent it. By assessing existing laws, regulations, policies, and standards, we will understand how the current legal environment creates or eliminates trade barriers to safe, high quality WASH products and creates the commitment necessary to generate more widespread access to water and sanitation.

ACTIVITIES

The project will occur over a period of two years (FY 2021-2022) with three phases:

- **Phase 1:** *Three comprehensive country-level (Ghana, Uganda, and Zambia) diagnostic reports* will be drafted based on deskwork and fieldwork, evaluating the national-level laws and policies enabling National Quality Infrastructure and the role of law in facilitating trade in international WASH products. These reports will detail how the law creates a commitment to increasing access to drinking water and sanitation, how the law supports the adoption and application of international WASH standards, and how the law creates an enabling environment for NQI and reduces barriers to trade. These reports will inform companies, countries, and other stakeholder’s decision making in looking to engage in the WASH market in Ghana, Uganda, and Zambia and remediate identified problems. The diagnostic reports will be published and widely disseminated.
- **Phase 2:** Considering the outputs of Phase 1, one *trend report* will be drafted examining trends on how the law creates a commitment to increasing access to drinking water and sanitation, how the law supports the adoption and application of WASH standards, and how the law creates an enabling environment for NQI and reduces barriers to trade in international WASH products. The trend report will complement companies’, countries’, and other stakeholders’ understanding of the WASH market in Ghana, Uganda, and Zambia, while indicating emerging and potential changes in these markets, such as those driven by the Africa Sanitation Policy Guidelines which may or may not be consistent with international best practices.
- **Phase 3:** Results and recommendations will be discussed in two virtual sessions per country with critical stakeholders. We expect one session to be with governmental representatives and one session to be with non-governmental stakeholders (e.g., NGOs, CSOs).

ANTICIPATED OUTCOMES

- Increased understanding and greater transparency of the legal framework governing National Quality Infrastructure, including how legal commitments increase access to drinking water and sanitation, how the law supports the adoption and application of WASH standards, and how the law creates an enabling environment for NQI and reduces barriers to trade in WASH products. With this information, companies can make informed decisions on where to pursue the sale of their products and services. Countries and other stakeholders can better understand how the legal framework may be hindering trade in WASH products and therefore the country's ability to accelerate access to water and sanitation services in light of the Sustainable Development Goals (SDGs), potentially leading to the changes in law and policy necessary to improve trade in international WASH products.
- Increased understanding and greater transparency of the institutions involved in improving National Quality Infrastructure and their role in setting, implementing, and enforcing the rules that increase or reduce trade barriers to WASH products. With this information, different institutions can better understand the relationship between the mandates of responsibilities and the impact of their decision-making on each other.
- Increased understanding and recognition of the role that law, and policy plays in improving NQI and the need for reform in order to create a stronger marketplace for WASH products and to increase consumer confidence in WASH products. Through education and engagement workshops with key stakeholders, we will present the findings from our research and engage stakeholders in a discussion on the types of reforms that would improve trade in WASH products.

STAKEHOLDERS

- *Ghana*: Ghana Standards Authority, Ministry of Environment, Science, Technology and Information, Ministry of Health, Ministry of Local Government and Rural Development, Ministry of Gender, Children, and Social Protection, Ministry of Sanitation and Water Resources, UNICEF, IRC, World Vision, SNV, and the Coalition of NGOS in the Water and Sanitation Sector (CONIWAS), among others.
- *Uganda*: Uganda National Bureau of Standards (including representatives from Technical Committees responsible for developing standards), the Ministry of Water and Environment, the Ministry of Health (specifically the Department of Environmental Health), Ministry of Local Government, the Uganda Local Government Association (ULGA), the Urban Authorities Association of Uganda (UAAU), UNICEF, WaterAid, Water for People, World Vision, CARE, CRS, Water.org, and WSUP, among others.
- *Zambia*: Zambia Bureau of Standards (ZABS), Ministry of Water Development, Sanitation, and Environmental Protection, Water Resources Management Authority (WARMA), Zambia Environmental Management Authority (ZEMA), National Water Supply and Sanitation Council (NWASCO), Lusaka Water and Sewerage Company (LWSC), Lusaka City Council (Public Health Department), UNICEF, WSUP, CRS, CARE, and the University of Zambia, among others.

About ANSI: ANSI is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system.

About CWSC: The Center for Water Security and Cooperation is a non-profit organization whose mission is to advance water security and cultivate cooperation by building a unified body of laws, policies, practices, and standards that ensure the availability of water for current and future generations, and a peaceful, stable, and vibrant global society.

About IAPMO: The International Association of Plumbing & Mechanical Officials plays a vital public health role in assuring access to clean water and sanitation. The IAPMO Group is a complete service organization providing: code development assistance, industry-leading education, personnel certification, plumbing, electro-plumbing, and mechanical product testing and certification, building product evaluation and a manufacturer-preferred quality assurance program.

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