

Preparing the Bagmati River Basin Improvement Project

Final Report

Stakeholder, Participation and Institutional Analysis

Prepared for Asian Development Bank



*Bagmati River in Shivapuri
National Park*

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1 PRESENT STATUS OF BAGMATI RIVER BASIN STAKEHOLDERS, PARTICIPATION, AND INSTITUTIONS

1.1 Introduction

1. Conceptually, the BRBIP stakeholder, participation, and institutional analysis focused on: (i) analyzing the views on the Project from a range of interested parties in order to properly develop and review policies, programs, and projects, (ii) guiding stakeholder participation, and (iii) examining organizations, institutions, and inter-organizational relations. Key to these analyses were:
 - Understanding the stakeholders' interests, perceptions, resources, and mandates.
 - Systematically deciding which stakeholders to engage, how, and when.
 - Examining not only organizations per se, but also the political economy and governance environment, legal and regulatory frameworks, key systems and procedures related to public administration, and the need for cooperation and coordination between different segments of the institutional and organizational landscape (government, civil society, private sector).
2. Based on these analytical goals, the BRBIP PPTA Team conducted a thorough stakeholders' analysis and consultation, including extensive discussions on how participation will be used during Project implementation. The actual stakeholders contacted and included in Project preparation activities are shown in **Annexes A, B, and C**. Annex A in particular highlights the varying (and sometimes conflicting and overlapping) interests and mandates of key stakeholders throughout the Bagmati River Basin. This Annex also highlights that while there is often duplication of efforts/mandates, in other instances there are either unclear or no mandates for critical river environmental activities. For instance:
 - Both KUKL and HPCIDPC have waste water treatment mandates in the Basin.
 - Both HPCIDPC and Municipalities (under the Local Self Governance Act) have mandates to manage and monitor Bagmati river courses and riverbanks.
 - There is no agency fully empowered or effective in regulating the river environment.
3. (Chapter 2 below more fully analyzes these sometimes overlapping and conflicting interests.)

1.2 The Present Institutional And Legal Landscape Along The Bagmati

4. **Table 1-1** below describes the present responsibilities, functions, and related legal positions of key Bagmati River Basin organizations: (i) WECS, (ii) HPCIDPC, (iii) KVWSMB/KUKL, (iv) KVDA, (v) MoUD, (vi) Municipalities and VDCs, and (vii) NGOs/CSOs. In principle, each organization has a legal mandate, but there are complexities to many of these mandates. **For instance, HPCIDPC is a "Committee", not a permanent government line agency, and their term of the Committee must be renewed periodically by the government.** Despite this, HPCIDPC has a relatively substantial GON budget allocation every year, but at the same time, HPCIDPC wishes to be a permanent government agency, but does not yet have a "HPCIDPC Act" passed by the Nepalese Parliament (Parliament is presently disbanded) giving HPCIDPC permanent legal identity and enforcement powers. Likewise, MoUD is a very large government Ministry, but in truth, it only came into existence six months ago when many of the departments from MPPW were transferred to the newly created MoUD. MoUD, therefore, is a very new, albeit powerful, government Ministry, still defining itself. Table 1 therefore should be read with caution, as it shows the functions and legal positions of the Bagmati organizations, but there are complicating factors.

5. **Table 1-2** is an organizational chart of the relevant government Ministries, Departments, and local governments. The table also shows the differences between the institutional and administrative policy and implementation levels, and local bodies. Table 2 is current as of October 2012. Six months ago this organizational chart would have looked much different, with no MoUD, many agencies and departments under MPPW, etc. Table 2 therefore not only shows the present organizational structure of key GON agencies involved in the Bagmati, but it also shows the administrative complexity that exists among government agencies in the Bagmati River Basin, and the fluid nature of inter-organizational relations in the Basin.



Table 1-1: **Key Bagmati River Basin Institutions And Relevant Laws And Policies**

INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
<p>Water and Energy Commission Secretariat (WECS)</p>	<p>WECS is an apex government agency mandated to coordinate national level planning of the entire water resources and energy sector. It was established in 1981 with the primary responsibility to assist Nepal Government, the Ministry of Water Resources and other related agencies in the formulation of policies and planning of projects in the water and energy resources sector. The objectives and mandates of WECS have been revised and modified a number of times since their establishment and currently are: to: (i) formulate and assist in developing policies and strategies in the water resources and energy sector; (ii) provide suggestions, recommendations and guidance in the development of irrigation, hydropower and drinking water projects; (iii) prepare policies and plans related to industrial use of water, flood management, in-land navigation, fisheries and other sectors related with water resources, along with the protection of the environment relating to the above sectors; and, (iv) act as a documentation centre for all regional water resources and energy related issues. The National Water Strategy (2002) and the National Water Plan (2005) have adopted the principles of Integrated Water Resources Management (IWRM) and river basin management through the establishment of River Basin Organizations (RBOs). WECS has proposed to initiate RBOs in the three major river basins, Koshi, Gandak and Karnali.</p>	<p>Water Resources Act (WRA) (1993) - WRA is an umbrella act that specifies significant provisions on water rights. The Act vests ownership of all water resources to the Government of Nepal. The provision rejects any private or community ownership of water resources existing in Nepal. Due to state ownership, an entity wanting to utilize water resources should obtain licenses from the government. While awarding license, following priorities are generally followed: (i) drinking water and domestic usage; (ii) irrigation; (iii) agriculture use such as animal husbandry; (iv) hydroelectricity; (v) cottage industry, industrial enterprises, and mining; (vi) transportation; and, (vii) recreational uses. The Act also sets some exemptions from licensing requirement especially for: (i) domestic or individual use of water; (ii) for private land irrigation; (iii) for running a water mill; (iv) for using the river for local transportation; and, (v) for water resources uses confined to a plot of privately owned land. Although license is not required for above uses, the users are not free to use water as they wish. They must make beneficial use of water without causing damage to others. With regards to the prevention of pollution of the water bodies the Act states “no one shall pollute water resources by placing litter, industrial wastes, poisons, chemicals or other toxicants to the effect that it exceeds the pollution tolerance limit”. Similarly on imposing penalties the Act states “any person or corporation found liable to causing pollution of water bodies shall be fined up to NRs. 50,000 and must pay compensation to the individuals and communities sustaining the loss as a result of the pollution”.</p> <p>Water Resources Strategy (WRS) (2002) - GON approved the (WRS) in 2002. It was conceptualized with the main goal to improve the living conditions of Nepali peo-</p>

INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
		<p>ple in a sustainable manner by comprehensive development and management of water resources. To achieve the goal, the strategy reconciles a range of problems and constraints for sustainable water resources development including institutional, legal, financial and human resources constraints. Based on a participatory log-frame approach, the strategy identifies ten short, medium and long term purposes to achieve its overall goal. One of the significances of the WRS is that it has adopted the core principal of IWRM, especially: (i) the development and management of water resources in a holistic and systematic manner; (ii) sustainable utilization of water resources while protecting the environment; and, (iii) adopting a river basin scale of management.</p> <p>National Water Plan (NWP) (2005) - WECS formulated the NWP with the objective to implement the activities identified by the WRS and was approved by GON in 2005. The NWP recognizes the broad objectives of the WRS and proposes short, medium and long-term action plans for the water resources sector. The NWP clearly incorporates the principles of IWRM and River Basin Management (RBM). As per the IWRM principles, NWP identifies three elements necessary to promote IWRM practices in Nepal: (i) enabling environment; (ii) institutional framework; and (iii) management instruments to be in place to implement IWRM principals.</p>
<p>High Powered Committee for Integrated Development of Bagmati Civilization (HPCIDBC)</p>	<p>HPCIDBC's predecessor, the Bagmati Civilization for Integrated Development Committee (BCIDC), was established in 1995 by the government under the Bagmati Area Sewerage Construction and Rehabilitation Project (BASCRP) with the mandate of cleaning of Bagmati River around Pashupatinath temple, one of the World Heritage sites. The main objective of HPCIDBC is to keep Bagmati River and its tributaries clean by preventing the direct discharge of solid and liquid wastes to the river and to conserve the river system within the Kath-</p>	<p>The Bagmati Civilization Development Council Act (BCDCA, 2010) has been proposed to the Ministerial Council in 2010. The Act aims to develop infrastructure needed to conserve and develop natural, cultural, heritage and religious properties, civilization, and environment by cleaning and keeping Bagmati River and its tributaries free of pollution. It establishes the Bagmati Council comprising the members from all the stakeholder agencies. The proposed duties and authorities of the Council is to</p>



INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
	<p>mandu Valley. Its current jurisdiction is within the Kathmandu Valley and its mandate is: (i) policy formulation and planning for restoration of the river system in Kathmandu Valley, (ii) construction of infrastructure (sewer system, service road, green belt, etc.) to protect and restore the Bagmati River System and its environment, (iii) defining the river alignment and width of flow regime, and (iv) monitor and regulate the activities along the river sides. HPCIDBC has constructed wastewater interceptors along both sides of the Bagmati River upstream of Guheshwori WWTP to divert waste water and treat it at Guheshwori WWTP developed and operated by HPCIDBC. To date, HPCIDBC has already constructed interceptors from Gokarna to Guheshwori and is now extending the interceptors downstream of Pashnupatinath from Tilganga to Minbhavan. HPCIDBC is also undertaking greenbelt works which involves construction and undertaking of river training, retention wall, greenbelt and corridor roads. A draft Bill for HPCIDBC was submitted to Parliament for approval, but Parliament has been dissolved. HPCIDBC is also mandated to implement the Bagmati Action Plan (BAP) (2009-2014) prepared by the National Trust for Nature Conservation (NTNC).</p>	<p>prepare plan and policy to keep Bagmati River and its tributaries pollution free, approve plan, budget and program of the Council, and execute works as authorized. The jurisdiction of the Council will be up to 50m beyond the flow regime of Bagmati River and its tributaries within the Kathmandu Valley. The HPCIDBC was created to implement this Act. The Act has not been approved as Parliament has been dissolved.</p>
<p>Kathmandu Valley Water Supply Management Board (KVWSMB) and Kathmandu Upatyaka Khanepani Limited (KUKL)</p>	<p>KVWSMB is a public entity established under the Act of Water Supply Management Board 2064 (2007). It is an autonomous government entity established for efficient and effective operation of water and wastewater services in Kathmandu Valley. It is responsible for preparing short and long-term plans, formulation of service policies, mobilizing financial resources, managing implementation of capital investment plans and providing wastewater service to customers through a service provider. KVWSMB owns the assets for the water supply and waste water treatment in the Kathmandu Valley. KVWSMB has issued operating license and signed asset lease agreements with service providers like Kathmandu Upatyaka Khanepani Limited (KUKL). The license for KUKL is for 30 years for operation and management of</p>	<p>Water Supply Management Board Act 2063 (2006) provides the legal basis for the Government to form the KVWSMB in order to operate or cause to be operated in well managed regular and effective manner the Water Supply and Sanitation Service of the municipality areas within the Kathmandu Valley. The assets and liabilities of the then Nepal Water Supply Corporation was transferred to KVWSMB under this Act. Melamchi Project and service system within the Kathmandu Valley will also be transferred to the Board within one year of completion of the Melamchi Project. The Act also authorizes the Board to regulate and control or prohibit the abstraction and use of groundwater and to issue a licence for abstraction or use of such water in the service area</p>

INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
	<p>services in Kathmandu Valley. KVWSMB is the asset owner of all assets associated with water supply and sewerage system in Kathmandu Valley. KVWSMB is also mandated to manage groundwater resources and to regulate its extraction.</p> <p>KUKL is a public limited company established under the Company Act (2006) using the public private partnership model with the national government, local municipalities and the private sector shareholding. KUKL currently operates and manages the water supply and sewerage services in Kathmandu Valley (mainly metropolitan areas) under a 30-year concession license from KVWSMB. It is responsible for operation and management of water supply and sanitation services in the service area within the valley. KUKL currently provide water services to all the five municipalities and VDC surrounding the municipalities. These VDC include most of the VDC (Sundarijal, Nayapati, Gokarneswore, Jorpati) located in the catchment area of upper stretch of Bagmati River Basin. The service area for waste water is currently limited to five (sub) municipalities – Kathmandu, Bhaktapur, Lalitpur, Madhyapur-Thimi and Kirtipur. At present, KUKL serves around 78% of the population with drinking water in Kathmandu valley.</p>	<p>KVWSMB is operating the water supply and sanitation system under a 30-year concession license under this act.</p>
<p>Kathmandu Valley Development Authority (KVDA)</p>	<p>KVDA is an autonomous body established for the purpose of formulating and implementing physical development plans in Kathmandu Valley in a planned way and thereby make essential services and facilities available to the public. The Authority was formulated on April 2012 as per the mandate of Kathmandu Valley Development Authority Act 1988 by replacing the existing Kathmandu Valley Town Development Committee (KVTDC). As per the KVDA Act 1988, KVDA is provided with an authority to divide the plan area into different land use and lay down conditions for physical development of the plan area. They also have mandate to formulate and implement necessary projects for proper development and maintenance of any religious, cultural and</p>	<p>Kathmandu Valley Town Development Act (1988) - This Act establishes KVDA and defines its mandate as: (i) formulation and implementation of land use plans and programs; (ii) development of by-laws for physical development; (iii) development and maintenance of cultural heritage; and, (iv) protection and conservation of the environment and natural resources. The Act provides the legal basis for implementing town development plans for existing and emerging towns.</p>

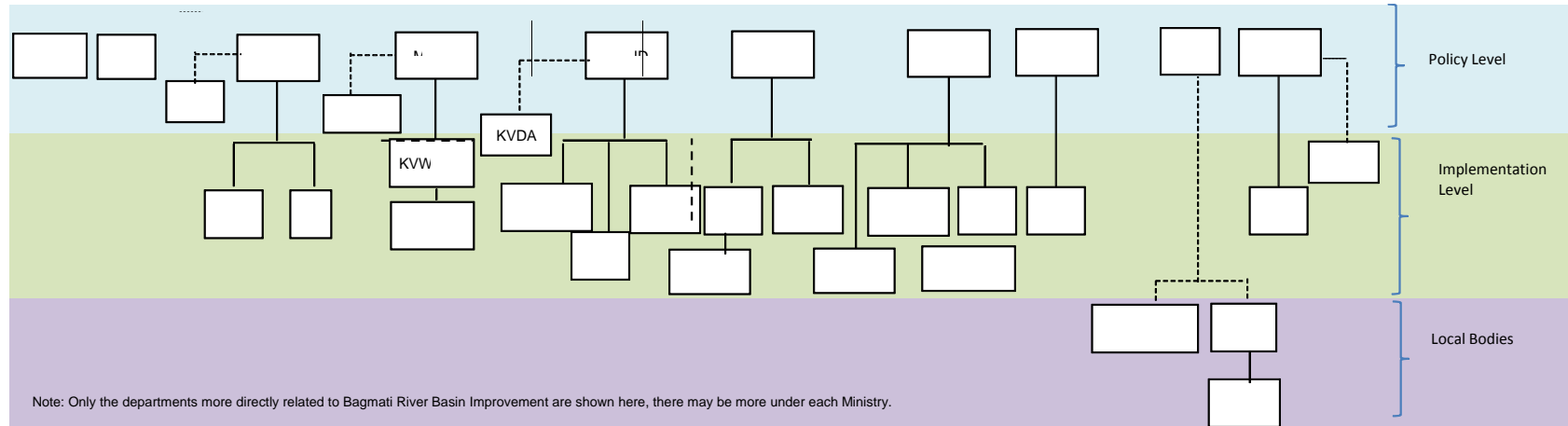


INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
	<p>historical heritage. Another key task of KVDA is to prescribe conditions in respect to construction and other activities to be undertaken in forests, rivers, and streams, ghats and aquatic areas for conservation of nature and environment in the plan area. Previously, Kathmandu Valley Town Development Committee (KVTDC) was involved in managing present and future urban growth in Kathmandu Valley by formulating by-laws, land development activities, open space development, public land preservation, and developing integrated development plans and programmes for VDC.</p>	
<p>Department of Urban Development and Building Construction (DUDBC)</p>	<p>Department of Urban Development and Building Codes (DUDBC) is primarily responsible for controlling haphazard urbanization through physical planning, constructing government buildings and developing building codes for safe and secured building construction. DUBC is the national level planning and implementation body to ensure safe buildings and to promote urban development. DUDBC has also been involved in promoting rain water harvesting technology in urban and rural areas. DUDBC has produced a final draft of the RWH Guidelines which are to be used to guide municipal authorities and those engaged in the building construction. To further raise the capacity in Nepal, the Ministry of Physical Planning and Works has consulted stakeholders and has drafted a concept for a Policy on Rain Water Harvesting.</p>	<p>DUDBC's working policy is related to (i) Conservation of historical and cultural heritage and urban development (ii) Development of Kathmandu Valley as tourist and cultural center (iii) Mobilization of local bodies and private sector in urban infrastructure development (iv) Management of urban development and (v) Rural-Urban partnership program.</p>
<p>Municipalities and VDCs within Kathmandu Valley</p>	<p>Municipalities and VDCs within Kathmandu Valley are the main institutions involved with rehabilitation, maintenance and extension of new neighborhood wastewater collection and disposal to the rivers. The construction of the wastewater networks are mostly based on public pressure and their planning and implementation is fragmented without proper design and construction supervision. The works are usually of poor standard. The municipalities and VDC are also responsible for solid waste management within their respective boundaries. All solid waste should be collected, sorted, and either recycled or properly disposed within the Kathmandu</p>	<p>The Local Self-Governance Act (LSGA) grants a high level of autonomy to the local bodies for developing and implementing plans and programs at the local level. The local bodies which include Village Development Committees (VDCs), District Development Committees (DDCs) and Municipalities are empowered to manage the natural resources within the areas of their administrative jurisdiction and generate revenues by contracting out extraction of natural resources.</p>

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INSTITUTION	FUNCTIONS, RESPONSIBILITIES, AND MANDATE	RELEVANT LAWS, POLICIES, AND LEGAL POSITIONS
	land-fill site.	
Non-Governmental Organizations and Community-Based Organizations (NGOs/CBOs)	<i>Community-based organizations and non-governmental organizations</i> like the NGO Forum for Water Supply and Sanitation are active in environmental advocacy activities. Federation of Community Forests in Nepal (FECOFON) is active in managing many successful community forests.	

Table 1-2: Basic Administrative Structure of Government Agencies Related to Bagmati River Basin Improvement



- DDCs District Development Committees
- DHM Department of Hydrology and Meteorology
- DOED Department of Electricity Development
- DoF Department of Forest
- DOI Department of Irrigation
- DSCWM Department of Soil Conservation and Watershed Management
- DNPWC Department of National Parks and Wildlife Conservation
- DUDBC Department of Urban Development and Building Construction
- DWIDP Department of Water Induced Disaster Preparedness
- DWRC District Water Resources Committee
- DWSS Department of Water Supply and Sewerage
- HPCIDBC High Powered Committee for Integrated Development of Bagmati Civilization
- KUKL Kathmandu Upatyaka Khanepani Limited
- KVWSMB Kathmandu Valley Water Supply Management Board
- KVDA Kathmandu Valley Development Authority
- MOEng Ministry of Energy
- MOF Ministry of Finance
- MOFSC Ministry of Forest and Soil Conservation
- MOI Ministry of Irrigation
- MOLD Ministry of Local Development
- MOSTE Ministry of Science, Technology and Environment
- MoUD Ministry of Urban Development
- MPPW Ministry of Physical Planning and Works
- NEA Nepal Electricity Authority
- NPC National Planning Commission
- NTNC National Trust of Nature Conservation (semi-government, NGO established under a special ACT)
- WECS Water Energy Commission Secretariat
- WSTFC Water Supply Tariff Fixation Commission (economic regulation function)

2 KEY STAKEHOLDER, PARTICIPATION, AND INSTITUTIONAL CHALLENGES AND ISSUES IN THE BAGMATI RIVER BASIN

2.1 Introduction

6. There are a number of key stakeholder and institutional challenges and issues facing the BRBIP Project, including: (i) inappropriate structures and functions of key institutions resulting in overlapping mandates/interests among actors in the river basin, including duplication of effort, (ii), lack of mechanisms and processes to promote participation and integrated water dialogue in the river basin, (iii) a proper legal framework, (iv) incomplete river basins plans and planning, (v) misperceptions, lack of awareness, and limited vertical communication, (vi) capacity and commitment, and (vii) need for knowledge-based decisions¹.

2.2 Structure And Functions Of Key Bagmati Institutions Resulting In Overlapping Mandates/Interests And Duplication Of Effort

7. The Bagmati River Basin does not lie under the administration of one agency. There are multiple agencies and stakeholders that have a keen interest in the Bagmati, but there is not one institution that looks after or manages all sectors in an integrated way. Sectoral agencies and CSOs are presently planning and implementing water and development projects along the river basin, but these are sectoral efforts, mostly independent and largely uncoordinated.
8. Adding to these institutional structural/functional challenges are overlapping mandates and responsibilities of Bagmati agencies and stakeholders. There is therefore, often fragmented responsibilities and duplication of activities. Below are listed some key overlapping mandates and conflicting interests of some important institutions in the Bagmati River Basin.

2.2.1 Waste Water Collection and Treatment

9. HPCIDBC was formed by an executive government order in 2008 by renaming its predecessor from "Bagmati Area Sewerage Project" to HPCIDPC. HPCIDC's scope was also expanded to include the Bagmati River System as a whole in the Kathmandu Valley. The Bagmati Area Sewerage Project was until 1995 known as the Pashupati Area Environment Improvement Project which was formed in 1994. The domestic waste water collection upstream of Guheswori, PasupatiNath Temple and its treatment at the Guheswori Waste Water Treatment Plant has been undertaken by HPCIDBC and its predecessors since 1994. Waste water collection and treatment in other parts (in its service areas) of Kathmandu Valley are the responsibility of Kathmandu UpatyakaKhanepani Limited (KUKL). Other decentralized waste water treatment systems (DEWATS) in other parts of the Kathmandu valley are operated and managed by different agencies including user committees and NGOs. The KUKL service area now covers five municipalities in the Kathmandu Valley but KUKL plans to expand to cover 48 adjoining VDCs as well. KUKL through the Kathmandu Valley Urban Environmental Improvement Project (KVUEIP) under preparation with ADB funding plans to rehabilitate and expand the sewerage network and to modernize, increase the capacity, and construct WWTPs in its service area including the Guheswori WWTP. While HPCIDBC can be credited for at least operating, albeit in limited capacity, the Guheswori WWTP and the sewerage network feeding it, most of the WWTPs now under KUKL are in a state of disrepair and are not in working condition. While HPCIDBC has shown its willingness to hand over the operation of the Guheswori WWTP to KUKL in the future, it puts a condition that KUKL should first show its capacity to operate the other WWTPs. At present both HPCIDBC and KUKL have plans and constructed

¹Stakeholders in the Bagmati River Basin include not only GON agencies, but also NGOs/CSOs, development partners, and the private sector. The primary emphasis of this present analysis is on GON agencies and Ministries, but there are roles for other key stakeholders in the project, described in Chapter 3.



collectors and sewerage networks within its service areas separately. In addition, the municipalities provide support to local community user groups to extend sewerage networks in newly developed urban areas. Most of these sewers end up in the rivers. This duplication and overlap of mandates and interests will further complicate the waste water management in the Kathmandu Valley.

2.2.2 Resource Planning

10. All principal government line agencies are involved in assessing and optimising the resource with which they are dealing (e.g. groundwater, forest resources). But where there is overlap (and there inevitably is in the case of water) there is no agency which takes a holistic and systematic view of the whole resource and the linkages between surface and groundwater use and recharge, ultimately to ascertain where there will be surpluses and deficits and how these can be managed. An RBO would be an appropriate organisation to carry out such a role

2.2.3 River Improvement

11. HPCIDBC has a mandate to plan and implement river improvement activities in the Bagmati River System within the Kathmandu Valley as per the executive formation order of the government. An Act drafted to provide the legal authority to HPCIDPC as per its mandate has not been approved by the Parliament due to the political transitional phase of the country. Due to this legal issue, HPCIDBC has therefore not been effectively enforcing and monitoring both solid and liquid waste discharge in the river. As per the Local Self Governance Act (LSGA) of 1999, the local bodies, Village Development Committees (VDCs)/District Development Committees (DDCs) and Municipalities, are mandated to manage and manage/control the rivers including controlling sand mining and river bank management. Other government institutions such as the Department of Roads (DOR) have used the river courses and banks to construct roads on their own initiative without coordination with either HPCIDBC or the local bodies. In other instances, even municipalities are dumping their solid wastes and industries are discharging untreated effluents in the river without any control or monitoring from any other institution. In summary, river courses and banks are under the jurisdiction and interests of multiple institutions leading to the degradation of the river environment.

2.2.4 River Environment Regulation

12. There is no agency fully empowered or effective in regulating the river environment. The Ministry of Science, Technology and Environment (MoSTE) is the authority approving Environmental Impact Assessment (EIAs) of all development activities including industries and housing complexes. The management and treatment of wastes from these industries and housing complexes are one of key issues for the EIA and MoEnv is mandated to monitor and enforce that the environmental standards and mitigation measures of the EIA like effluent discharges in the rivers are complied by all. In addition, HPCIDBC has an interest to regulate the river environment but lacks the legal authority to effectively enforce it. Similarly, the VDCs/DDCs and the municipalities despite having such authority that it can exercise by the LSGA have been ineffective in river environment regulation.

2.2.5 Water Use/Allocation Conflict

13. The major use of water (both surface- and ground-water) in Kathmandu Valley and in Bagmati River Basin as a whole is for domestic water supply, irrigation, hydropower (non-consumptive) and other in-stream water use (cultural and environmental flows). Water is extracted by government agencies, water utilities like KUKL, private sector including tanker water supply and industries, farmers, hotels and commercial entities. There is often a conflict between these uses especially between water supply and irrigation or environment flow requirement. Although the local bodies and District Water Resources Committee (DWRCs) have been authorized by LSGA and Water Resources Act (WRA) to regulate and allocate water to different water uses, these bodies are unable to do so either due to lack of interest and capacity or due to the influence of and pressure from other agencies. Kathmandu Valley Water Supply Management Board (KVWSMB) has the mandate and legal authority to regulate and license groundwater extraction and tanker operations but have been ineffective in doing so. The government institutions or government owned utilities

like KUKL themselves have been using the water available without consideration of its impact to other uses.

2.2.6 Ownership of Water Resources

14. The Water Resources Act (WRA) of 1992 states that the ownership of water is vested in the State. As per the WRA, any collective or commercial use apart from individual use of water resources will require a license from the District Water Resources Committee (DWRC) formed under the chairmanship of the Chief District Office. According to LSGA (1999), the local bodies (VDCs and DDCs) are empowered to plan and implement water supply, irrigation and flood control projects within their jurisdiction. Sectoral government institutions like Department of Irrigation, Department of Electricity Development, Department of Water Supply and Sewerage etc do not in practice always take the approval of DWRC or local bodies while planning and implementing their projects. There are hence overlaps in the mandates, perceptions and interests of these institutions.

2.2.7 Land Pooling

15. Kathmandu Valley Development Authority (KVDA) is the government agency responsible to coordinate urban development activities within Kathmandu Valley. KVDA's mandate includes among others land pooling which KVDA seldom carries out as it often delegates authority to public or private agencies for land pooling activities. The High Powered Committee for Integrated Development of Bagmati Civilization (HPCIDBC) has plans to undertake land pooling in the area of Sundarijal-Gokarna stretch of the Bagmati River. HPCIDBC's interest is to implement land pooling activities in the area to support and benefit river environment improvement in the Bagmati River. While HPCIDBC intends to receive delegated authority from KVDA to carry out land pooling, consultations with KVDA showed that KVDA has separate plans for land pooling to manage new urban development in this area systematically. There is hence a conflict of interest between the two government agencies that need to be resolved.
16. The fragmented nature of the Bagmati stakeholders and lack of integrated institutions makes planning, coordinating, implementing, and enforcing Bagmati water projects all the more difficult. There is a clear need for integrated and stable institutions in the river basin, and intersectoral collaboration.
17. An indication of the institutional complexity of the Bagmati River Basin is shown in **Table 2-1** below, which outlines some of the key mandates, interests, and duplicated activities presently on-going in the Basin. The table presents the main functions in each sector and the mandates/interests of different institutions dealing with it. It clearly shows that more than one government agency is dealing with each of the function. There is hence a need for harmonization and separation of these functions for effective actions.

2.2.8 Resolution of Supply / Demand Imbalance

18. Although Kathmandu Valley Water Supply Management Board (KVWSMB) has the mandate and legal authority to regulate and license groundwater extraction, and must necessarily assess the groundwater resource against surface water resources, its focus is on practical measures to bridge the gap between sustainable supply and rising demand. There at present is no agency which takes a wider view of supply-demand balance and scope for sustainable reductions in water demand. An RBO with a wider view of resources and demands at a regulatory level would be better placed to propose realistic measures to resolve supply / demand imbalance in the longer term.



Table 2-1: **Examples OfGon Overlapping Mandates, Interests, And Duplication**

Institution	Water Resources Planning	River Environment	Water Supply and Sanitation	Waste Water	Urban Development	Watershed Management
WECS	√ Policy, regulation, apex body					
MoUD		√ Policy formulation	√ Policy formulation	√ Policy formulation	√ Policy formulation	
HPCIDBC		√ Policy formulation Regulation, enforcement (?) and development	√ Waste water treatment, sanitation	√ Collection and Treatment at Guheswori WWTP	√ Land pooling (interest)	√ Wetland management (interest)
KVDA					√ Planning, development and regulation	
MOI/DOI	√ Irrigation					
MOI/DWIDP	√ Water Induced Disaster					√ Sediment Control
MOFSC/DSCWM						√ Primary mandate
KVWSMB/KUKL	√ DMI Water Supply, Surface-, Ground-water licensing		√ DMI water supply and sanitation	√ Collection and treatment in KUKL service area		
VDCs/DDCs	√ Small scale	√ Resource Use (sand mining)	√ Small scale			√ Support at VDC level
Wards/Municipalities	√ Small scale	√ Resource Use (sand mining)	√ Mostly health and sanitation with its jurisdiction	√ Collection (sewer development in partnership with local beneficiaries)	√ Building permits and enforcing by-laws, land use planning	

DHI

Institution	Water Resources Planning	River Environment	Water Supply and Sanitation	Waste Water	Urban Development	Watershed Management
DOR		√ Roads along river stretches			√ Roads development and maintenance	
MoEnv			√ EIA approval			
MOLD				√ Policy, coordination		

Mandates/Interests/Duplication (cont'd)

Institution	River Training	Groundwater	Environmental	Solid Waste
WECS	√ Policy	√ Policy		
MoUD			√ Policy- urban environment	
HPCIDBC	√ With river corridors in Upper Bagmati			√ Controlling dumping in rivers
KVDA				√ Planning
MOI/DOI		√ Groundwater use		
MOI/DWIDP	√ Primary mandate			
MOFSC/DSCWM			√ Wetlands, Forests/National Parks and Bio-diversity	
KVWSMB/KUKL		√ Licensing in Kathmandu Valley		



Institution	River Training	Groundwater	Environmental	Solid Waste
VDCs/DDCs	√ Support to communities on demand			√ Management
Wards/Municipalities	√ Support to communities on demand			√ Management
DOR	√ Protection of bridges			
MoEnv			√ EIA approval	
MOLD				√ Policy, coordination

2.3 Mechanisms And Processes To Promote Participation And Integrated Water Dialogue

19. Well-defined river basin institutional structures and functions are a necessary, but not sufficient condition for improved water resources management along the Bagmati River. Specific processes and mechanisms need to be in place for the institutions to carry out their mandates. Presently, there are limited mechanisms to allow development of multi-sectoral strategies and water dialogue. Few mechanisms exist that would provide for and promote water dialogue involving both GON and Civil Society. There is a need to develop such mechanisms to encourage improved cooperation and coordination between government sectors, CSOs, development partners, and the private sector. Multi-sector mechanisms (with particular emphasis on CSOs) are needed for integrated management of the Bagmati River Basin.
20. Particularly worrisome is the lack of participatory mechanisms for vulnerable groups along the Upper Bagmati, including farmers and farmers' groups. It is important that mechanisms are in place that allow these vulnerable groups a "seat at the table", to ensure that their voices are heard and their concerns are given a fair hearing. Farmers in particular are very concerned about changes in the Bagmati River that could potentially affect their irrigation water supply.
21. Particularly at the field level, there are local social and institutional issues and obstacles affecting participation, ownership, acceptance, and adoption of BRBIP's key elements. Many of these issues and challenges are outlined in **Annex D** below, including some potential field-level strategies to overcome these obstacles.

2.4 Legal Framework

22. Although there are many good ideas, plans, policies, and strategies focused on improved management of the river basin, most lack clear regulations, authority to enforce rules, and legal "teeth". Regulations and/or enforcement for control of Bagmati water resources and environment conservation are either weak, or non-existent. This lack of a clear legal framework and mandate hinders implementation of viable plans for improved water management. There is a need for a regulatory and legal framework that would support needed institutional changes. There are certainly key stakeholders in the river basin who urgently wish to implement and enforce needed activities, but they simply lack the legal mandate to do so, and are therefore reduced to the power of persuasion. A new and updated legal framework for improved water management in the river basin would do much to give these stakeholders the power to act more decisively in the basin.

2.5 River Basin Plans And Planning

23. There are a number of well thought-out river basin plans in Nepal, including the Bagmati (i.e. the Bagmati Action Plan) and Kosi Rivers. Indeed, the recently approved Bagmati Action Plan (BAP) is generally respected by all, and was perhaps the first attempt at developing and implementing a multi-stakeholder planning process for a large river basin. The BAP, however, is not a complete and integrated document as it primarily focuses on water quality and environmental concerns, and does not truly address all key sectors. The emphasis is more on a sectoral plan, rather than an integrated plan. Also, BAP and HPCIDPC (the agency formed to implement BAP) focus only on the Bagmati in the Kathmandu Valley, while the river itself flows all the way to India. The Plan, however, is a needed first step and is the basic river basin planning framework that GON requested. The BAP, however, needs enforcement as it is presently only a plan with no legal backing and no clear path for implementation. River basin plans are often developed in Nepal, but then not implemented due to lack of multi-stakeholder/multi-sectoral focus and a proper legal framework.

2.6 Lack Of Awareness, Misperceptions, And Limited Vertical Communication

24. There is concern and sometimes confusion regarding proposed BRBIP improvements in the Bagmati River Basin. Stakeholders have heard about a dam and a reservoir, but there are some mis-



perceptions about these proposed interventions. For example, farmers along the Upper Bagmati have heard about the proposed dam, and are concerned that the dam will mean less irrigation water for their crops. Other stakeholders want to be assured that if the dam and reservoir are constructed, proper environmental safeguards will be in place. There are also challenges with vertical communication between the field and national levels regarding a number of water resources issues.

25. At its worst, some of these misperceptions and concerns could cause local groups and other stakeholders to withdraw support for the project, and block progress towards integrated water resources management in the Bagmati Basin. These are all legitimate concerns and need to be addressed with a communication strategy, outreach program, and project mechanisms for participation.

2.7 Capacity And Commitment

26. Many stakeholders have limited capacity and resources to develop and implement adequate responses to the river basin's institutional and physical challenges. In addition to the limited capacities, there is also often a lack of ownership of river basin activities, as they are usually sectoral and stakeholders from other sectors often do not see a need to get involved.
27. To be sure, there are some sectoral capacities which are fairly well developed, e.g. river engineering, civil construction, design, etc. Not so well developed are the more inter-sectoral capacities, particularly along the Bagmati River Basin, including the need for capacity building vertically, improving communication and coordination from the field to national level. Institutional capacities and knowledge for river basin coordination and cooperation are not yet fully developed, and will also need strengthening. For example, River Basin Organizations (RBOs) are a relatively new concept to Nepal, particularly for a river like the Bagmati which flows through a highly urban and industrialized area. At least two areas of RBO development are weak in Nepal:
 - **Processes and Procedures** – The processes and procedures needed to design, develop, and begin implementation of an RBO are not well known in Nepal. These will have to be addressed.
 - **Institutional and Implementation Arrangements** – Once the RBO is actually formed, more expertise will be required in actual river basin management, and in operating the RBO on a day-to-day basis.
28. Although perhaps the key institutional capacity weakness in Nepal is coordinated and cooperative river basin management, there are also specific sectoral disciplines that will also have to be strengthened in some key government ministries and departments, including watershed management, river basin planning, reservoir operations, and community outreach.

2.8 Knowledge-Based Decisions

29. Just as there is a need for integrated river basin institutions and planning, there is also a need for integrated knowledge-based decisions. There is presently a lack of integrated data and information along the Bagmati River Basin, including limited decision tools for monitoring and analyzing water quantity and quality. Proper data are needed for improved river basin management and the development of decision support tools that would empower river basin institutions to make informed decisions.

3 POTENTIAL STAKEHOLDER, PARTICIPATION, AND INSTITUTIONAL STRATEGIES FOR BAGMATI RIVER BASIN IMPROVEMENT PROJECT

3.1 Roles Of Key Stakeholders

30. Any stakeholder, participation, and/or institutional strategy for inclusion in BRBIP should first consider the roles that key stakeholders (NGOs/CSOs, Local Organizations, Private Sector, GON) will play in BRBIP.

3.1.1 NGOS/CSOs

31. NGOs, local community groups (e.g. youth groups, women's groups and interest groups) and local bodies (e.g. VDCs and municipalities) will serve as a vital link between (i) the project and (ii) the affected communities. It is not possible for project personnel to interact personally with all the affected communities and stakeholders, and therefore NGOs and local village groups will act as direct communicators to affected people, assisting the project team in their activities. NGOs are particularly effective in community organization/mobilization activities and will be used in that role. The specific roles for NGOs will be:

- Mobilize communities to participate in project activities such as community solid waste management, river stretch adoption etc;
- Implement specific activities of the Communication Strategy such as door to door awareness, disseminate key messages and slogans, organize sporting, music events and annual river festivals
- Develop awareness of all communities to stop solid waste dumping, illegal encroachments and conservation of the greenery
- Take a role of a 'watch dog' to ensure that project activities are undertaken as planned following the environmental and social safeguards and the project outputs, outcomes and impacts are achieved

32. NGOs will also be encouraged to approach local people to help and support the activities the community is performing. This support could be in terms of providing either financial or human resources. At least one VDC on the Upper Bagmati stated that NGOs have not contacted or supported local efforts on the Bagmati.

3.1.2 Private Sector

33. The private sector will gain much from BRBIP activities through tourism development and improved business opportunities due to the improvement in the river and general environment in the Upper Bagmati Basin. The private sector will also have an important role in supporting and participating in BRBIP. Specific roles for private sector will include

- Adopt river stretches and manage green belts as part of their Corporate Social Responsibility (CSR)
- Support the communication strategy by sponsoring events like the River Festival, hoarding boards, mass media campaign such as radio jingles, documentaries and public service announcement (PSAs)
- Finance river clean up and other project activities in partnership with GON, NGOs and local communities

34. On the other hand, private companies like carpet factories, brick factories and water tankers use significant quantity of water especially extracted from the groundwater aquifers along the river and away from the river. They are also polluting the river through their wastes and, in the case of the carpet factories, the pollutants can be heavy metals with serious health and water quality im-



plications. There is a need to consult the private companies to make them aware of the water availability and the need to use it efficiently for the benefit of all including the environment.

3.1.3 Local Government Bodies

35. The local bodies (VDCs and municipalities) will play a key role of being a focal point for community participation and engagement to ensure the project is owned, supported and actively promoted by the local communities. Specific roles for local bodies include:
 - Facilitate concessions for river stretch adoption and river bank protection to local communities and local clubs wishing to do so
 - As the custodian of the river course and river banks granted by the Local Self Governance Act (1999), monitor and manage the resource use and the river environment under its jurisdiction
36. Ward offices representing the areas closest to the Bagmati River should be a key focal point for delivering BRBIP messages and making people aware about river conservation, as people living in those wards have the most impact on river works and are most affected by the river environment.

3.1.4 GoN

37. The key GON agencies like the MoUD, WECS, HPCIDBC, KVWSMB, KUKL, KVDA are the important bodies that are responsible to formulate policy, regulate, implement and monitor the activities related to the river basin and the river environment. There are some overlaps and duplications in these bodies as show in Table 3 and these need to be sorted out. There is also a need for them to work together and also with the NGOs, communities and local bodies that have closer links to the communities.

3.2 Stakeholder, Participation, And Institutional Strategies For Brbip

38. Below are presented seven key stakeholder, participation, and institutional strategies for inclusion in BRBIP: (i) a Bagmati River Basin Organization (RBO) that introduces and implements the objectives of integrated water resources management (IWRM) to river restoration, (ii) improved mechanisms for participation and water dialogue, (iii) institutional strengthening and capacity development, (iv) the development of an NGO Platform, (v) a stakeholder communication strategy, (vi) the introduction of knowledge-based decisions, and (vii) a proper legal framework.

3.2.1 Establishment and Development of a Bagmati RBO and IWRM

39. The overlapping mandates, interests and duplication among the different government agencies and other stakeholders calls for an institutional framework for coordination, integration and regulation of all activities within the Bagmati River Basin. An Integrated Water Resources Management (IWRM) approach that “promotes coordinated development and management of water, land and related resources to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems”. A key challenge for the RBO will be to mainstream the participation of local communities in river basin management.
40. The key governmental agencies like WECS, MoUD, HPCIDBC, Dept of National Parks and Wildlife Conservation (DNPWC)/ShivapuriNagarjun National Park have a key role of executing and implementing the Project. As it is a multi-sectoral project requiring a river basin management/IWRM approach. River Basin Organization (RBO) to coordinate, integrate and monitor the river basin development and management is thus needed for Bagmati River Basin.
41. Component 1 – Towards Integrated and Participatory River Basin Management – Proposal for Bagmati RBO concludes that current water management problems in the Bagmati river basin make it highly suitable for the introduction of IWRM, and one possible solution to promote this would be formation of an RBO.

42. Although most existing government agencies function well enough within normal funding constraints, there is need for greater coordination and focus on key issues, and elimination of overlaps which appear to occur in certain areas. However, an analysis of water management functions indicated that there are gaps in key areas (e.g. basin-wide water balance, water allocation, groundwater management) which need to be resolved.
43. The PPTA considers that formation of an RBO to address key planning functions together with rationalisation of other water management functions could make a significant positive impact on the water management in the basin, and start to resolve key issues. A draft roadmap of IWRM activities with corresponding timetable and milestones is presented in the Project Component 1 Report.

3.2.2 Mechanisms to Promote Participation, Coordination, and Integrated Water Dialogue

3.2.2.1 Challenges and Issues

44. As described in Chapter 2 above, there are no mechanisms in the Bagmati River Basin for developing integrated and multi-sectoral water resources management strategies in the Upper Bagmati. The basin is also plagued by: (i) limited room for water dialogue involving civil society, (ii) limited networking mechanisms for sharing data and information, and (iii) limited community awareness and education.
45. The lack of a multi-sectoral strategic approach highlights the need for both a process and an institutional mechanism for key stakeholders to actively support coordinated Bagmati water resources development and river environment management.

3.2.2.2 Goals and Targets of These Mechanisms and Processes

46. The goal or target of these institutional mechanisms and processes is integrated water resources management in the Bagmati River Basin. The objective is to better manage water resources in an integrated way, not necessarily to build a Bagmati River Basin Organization (RBO). There are multiple institutional structures (including an RBO) that might accomplish this, but the goal itself is not necessarily an RBO per se, but sustainable water resources management in the basin. An RBO could possibly be a good technical and institutional tool for facilitating and structuring integrated water resources management, but the organizational apparatus (e.g. an RBO) is a tool or a means to an end, not the end itself.

3.2.2.3 Mechanisms and Processes to Promote Participation, Coordination, and Integrated Water Dialogue

47. There is a clear need to build better water governance in the Bagmati Basin. Some key principles for building better water governance include:
 - Stakeholders involvement and agreement (including CSOs and NGOs) on multi-stakeholders' coordination mechanisms.
 - Knowledge, data, information- sharing and cooperation on projects; basin awareness.
 - Inter-sector collaboration.
 - Integrated knowledge of the basin profile.
 - Steering water resources development and river environment strategy and implementation.
 - Updating and/or setting up of a regulatory framework.
48. To follow these principles and achieve the stated goal of integrated water resources management (IWRM) in the Bagmati Basin, the Project will support the development of a multi-stakeholders' mechanism that mainstreams IWRM. This will involve designing and implementing a stepwise framework for water resources coordination:
 - At least two multi-sectoral Technical Working Groups formed and supported:



- Working Group on Bagmati Water Resources Management
- Working Group on Bagmati River Environmental Management
- A Bagmati IWRM Project Steering Committee.
- River Basin Organization

3.2.2.4 Multi-Sectoral Technical Working Groups

49. A key element of these processes and mechanisms is the formation of at least two technical working groups on the Bagmati Basin: (i) Bagmati Water Resources Management Working Group, and (ii) Bagmati River Environmental Management Working Group. These are technical working groups, focusing on technical aspects of water resources management and river environmental management. These working groups would provide multi-sector platforms and mechanisms for stakeholder coordination, collaboration, and participation, at least initially focusing only on technical matters.
50. The working groups could start out informally, with little or no official government authority, and gradually evolve into a key part of the official Bagmati RBO as the official RBO is being developed. To this extent, the two working groups are a transitional mechanism to keep integrated water dialogue going while legal, budgetary, and administrative arrangements are made for the RBO. Ultimately, these working groups would be integrated into the long-term organizational chart of the Bagmati RBO.
51. The roles of the working groups would be:
- Consultative aiming at following up and giving recommendations for the preparation of the Bagmati RBO.
 - Discuss status of water related projects in the Bagmati River Basin and develop methods for intersectoral screening and evaluation (water dialogue).
 - Provide forum for exchange of views on challenges and issues facing Bagmati stakeholders.
 - Share knowledge and information and advice on public awareness campaigns.
 - Help develop ideas and actions related to a Bagmati Community Empowerment Program – Information, Awareness, Education.
 - Develop awareness framework and guidelines for better involvement of a wider range of stakeholders.
 - Remain current and help develop a Bagmati Basin Info System and knowledge base as way to consolidate and network various sectors.
52. It is also important the two working groups become a part of the BRBIP/KVUEIP Joint Communication Strategy. Although much of the work of the communication strategy will be done by NGOs and CSOs, the two technical working groups can help guide and give direction to the joint communication strategy.
53. Potential stakeholders as members of the working groups would include:
- HPCIDBC
 - WECS
 - KVWSMB/KUKL
 - MOI/DOI
 - Municipalities
 - VDCs and DDCs
 - CSOs (including representatives from local vulnerable groups, including farmers' groups in Upper Bagmati)
 - NGOs
54. It is particularly important to note that local groups such as VDCs, DDCs, and local leaders could potentially block BRBIP Project activities (construction, etc.) and mobilize opposition to the project. It is critically important therefore that these local leaders and representatives of the VDCs/DDCs are fully engaged in the Project processes/activities and the Working Groups, to in-

corporate them as participants into the project, rather than just as observers. There could be a tendency to exclude these local groups from the Working Groups, but it should be stressed that the objectives of the Working Groups will only be fulfilled if VDCs/DDCs, CSOs, and other local leaders fully participate in the Working Groups.

3.2.2.5 Multi-Sectoral Bagmati IWRM Project Steering Committee

55. If the working groups show initial progress and promise, an informal Bagmati IWRM Project Steering Committee could also be formed. This IWRM Steering Committee would primarily be technical, and would directly address larger IWRM issues on the river basin. Again, early on in the project, this IWRM Steering Committee (separate but coordinated with the larger Project Steering Committee), would operate more informally, without the need for formal government authorization.

3.2.2.6 Bagmati RBO

56. The whole process of developing mechanisms and processes to promote coordination, participation, and water dialogue would be a step-wise process. The first step is the establishment and development of the technical working groups, which would be a transitional step while the formal Bagmati RBO is being established and legally authorized. The second step would be to merge the working groups into the formal Bagmati RBO.

3.2.2.7 Role of TA

57. The whole process of developing mechanisms and processes to promote coordination, participation, and water dialogue would be supported by TA contractor who would:
- Provide general guidance, capacity building and ownership development.
 - Develop appropriate methodologies and implement together with counterparts activities focused on:
 - Mainstreaming IWRM into strategic Bagmati River Basin planning exercises and project implementation.
 - Coordinating/networking basin knowledge and regular updating of basin profile.
 - Developing mechanisms for encouraging Civil Society and other non-governmental stakeholders to become involved and committed.

3.2.3 Institutional Strengthening and Capacity Development

58. Institutional strengthening and capacity development will be key BRBIP Project activities. However, just as BRBIP as a whole is not planned to solve all the Bagmati River Basin water problems at once, the Project's institutional strengthening and capacity development program will also not try to solve every institutional issue and challenge, but rather will focus and target those areas where Project inputs can be leveraged to produce maximum effect.
59. BRBIP's capacity building and institutional development programs will help develop institutional, organizational, and network/partnership capabilities and provide support to enhance key agencies' capacities to develop and implement project activities. BRBIP will focus on building the capacity of key executing and implementing agencies to manage their own activities and programs. Improving these capacities is not only a means to achieve the project's objectives, but it will also optimize the impact and sustainability of the project.
60. The BRBIP institutional development program will take a holistic approach to BRBIP capacity development, going beyond only training for key personnel. Although training, and training of trainers programs will be key elements of the program, training alone will not address all GON organizational performance programs. Proper training programs will be implemented in conjunction with development of effective organizational structures and linkages, including well-designed: (i) organizational goals and objectives, (ii) systems, (iii) policies, (iv) work processes and procedures, and (v) proper equipment and funding.



61. There are three key areas of BRBIP institutional strengthening and capacity development: (i) organizational development, (ii) institutional development, and (iii) inter-organizational relations.

3.2.3.1 Organizational Development

62. BRBIP organizational development will include activities to improve performance of the executing and implementing organizations/agencies, and the individuals/staff working in the agencies. This will be the most immediate and direct entry point for BRBIP capacity development. Key elements of BRBIP's Organizational Development activities will include improvements in key sectoral disciplines, including:

- River Basin Planning and Management
- River Basin Organization Development and Operations
- Watershed Management
- Dam and Reservoir Operations
- Community Outreach

63. At least four key organizational development activities (particularly in WECS and HPCIDPC) will be stressed:

- **WECS and River Basin Management and Planning** – WECS has explicitly requested BRBIP assistance in River Basin Management and Planning activities, particularly related to the Bagmati River Basin. Assuming WECS will be the Implementing Agency for the newly formed BagmatiRBO, WECS will receive strengthening in developing, operating, and maintaining the new RBO.
- **HPCIDPC and Communications and Community Outreach** – HPCIDPC already has a Social Development and Coordination Unit (also sometimes called the Social Mobilization Office), with one Social Mobilization Officer and four Mobilizers². Under BRBIP this office will need to be strengthened and further resources and outreach/communication training provided to their staff, as HPCIDPC will play a key role in directly working with Bagmati stakeholders. Specific training courses will need to be developed and conducted on communication, public relations, and outreach.
- **HPCIDPC Organizational Structure**³ – After the BRBIP loan project is finalized, it is likely that the organizational structure of HPCIDPC will be considerably revised, with: (i) a strengthened Social Mobilization Office, (ii) new units or offices specifically related soil and water management activities, (iii) an environmental safeguard unit, and (iv) more staff directly involved with project implementation activities.
- **Exposure Visits/Study Tours to Other Countries with Effective RBOs** – Exposure visits and study tours to other countries with working RBOs will be organized and conducted. Such visits and tours should be directly linked to training programs focused on developing and operating a Bagmati RBO.

64. Based on discussions and joint analyses of key institutional strengthening needs with HPCIDPC and WECS, Table 4 below outlines some of the key capacity development elements needed in these two government agencies.

² Some of these HPCIDPC staff attended and participated in the PPTA Team's Participatory NGO Workshop held in Kathmandu on October 2, 2012.

³ Key elements of the future organizational structure of HPCIDPC remain somewhat uncertain until the status of the pending HPCIDBC Act is clarified. Presently Parliament is disbanded, so therefore no significant legislation (including the HPCIDPC Act) can be passed.

Table 3-1: BRBIP Institutional Strengthening and Capacity Development Requirements in HPCIDPC and WECS

Agency	Elements of Capacity Building and Institutional Strengthening Program
HPCIDBC	Broader Staff Diversification in Discipline and Expertise ⁴ : <ul style="list-style-type: none"> • Water Management <ul style="list-style-type: none"> ○ Water Supply ○ Integrated Water Resources Management (IWRM) ○ Ground Water ○ Hydrology ○ Reservoir Management • Soil and Water Management <ul style="list-style-type: none"> ○ Watershed Management⁵ ○ Wetlands ○ Forestry⁶ ○ Soil Conservation ○ Geology ○ Land Acquisition • Organizational <ul style="list-style-type: none"> ○ River Basin Organizations ○ Knowledge Management ○ Socio-Economics ○ Communication ○ Public Relations ○ Outreach
WECS	<ul style="list-style-type: none"> • Additional Staff and Training in: <ul style="list-style-type: none"> ○ River Basin Planning and Management ○ River Basin Organizations ○ Water Resources Information Systems ○ DSS ○ Procurement ○ Financial Management

3.2.3.2 Institutional Development

65. BRBIP will also work with executing and implementing agencies to improve the overall governance of project operations, including a focus on a proper legal and regulatory framework, and key processes and procedures within government agencies.

66. At least one of the key processes and procedures to improve Bagmati River institutions will be the development of multi-stakeholders' mechanism that mainstreams IWRM. This will involve developing and supporting at least two Technical Working Groups: (i) Working Group on Bagmati Water Resources Management, and (ii) Working Group on Bagmati River Environmental Management. These will be technical working groups, focusing on technical aspects of water resources management and river environmental management. These working groups would provide a multi-sector platform and mechanism for stakeholder coordination, collaboration, and participation, at least initially focusing only on technical matters. Three key functions of these working groups that would directly contribute to institutional development are: (i) consultative aiming at following up and giving recommendations for the preparation of the Bagmati RBO, (ii) discuss status of water related projects in the Bagmati River Basin and develop methods for intersectoral screening and evaluation (water dialogue), and (iii) provide a forum for exchange of views on challenges and issues facing Bagmati stakeholders.

⁴ As a "Committee", rather than a government line agency, HPCIDPC has plans to augment their staff by requesting that other government line agencies second key staff to HPCIDPC.

⁵ HPCIDPC has signed a Memorandum of Understanding with IUCN and IUCN will also contribute expertise to BRBIP watershed management activities.

⁶ HPCIDPC has already formally requested one Forester and three Forest Rangers be seconded to HPCIDPC.



3.2.3.3 Inter-Organizational Relations

67. RBO - Inter-organizational relations will be improved in BRBIP, primarily through the establishment and operation of the Bagmati RBO. Presently, inter-sectoral and institutional capacities and knowledge of river basin coordination and cooperation are not yet fully developed along the Bagmati River Basin. RBOs are a relatively new concept to Nepal, particularly for a river like the Bagmati which flows through a highly urban and industrialized area.
68. BRBIP will directly address these weaknesses by emphasizing at least two areas of RBO development:
 - **Processes and Procedures** – The processes and procedures needed to design, develop, and begin implementation of an RBO will be designed and implemented, including a step-wise development of Technical Working Groups that would ultimately lead to full legal authority for an RBO.
 - **Institutional and Implementation Arrangements** – Once the RBO is actually formed, more expertise will be required in actual river basin management, and in operating the RBO on a day-to-day basis. BRBIP through its organizational development activities described above will focus on these arrangements.
69. NGOs and CSOs - Another key part BRBIP's inter-organizational capacity development activities will be focused on incorporating recognized NGOs, CSOs, local development partners, and local government bodies into project operations. BRBIP will emphasize the benefits of cooperation and collaboration between these different organizations and institutions.
70. The Role of a "Champion" - Another key inter-organizational capacity development activity will be the identification and support of a "champion" for the loan project from among the key stakeholders. This champion could take on the role of a driving force supporting integrated, stable institutions within the Bagmati River Basin, and coordinating multi-sectoral improvement efforts.

3.2.4 NGO Platform

71. The Upper Bagmati River environment improvement will require community participation in maintaining the river environment. While the interventions proposed to manage liquid and solid waste and to increase the flows in the river will provide the basis of the restoration of the river environment to its conditions of 30-40 years ago, the river banks and the green belts created in the flood plains will need to be owned by communities and other local stakeholders. There are some good examples of communities and other civil society organizations (CSOs) coming together to improve the rivers by developing green zones and parks on certain stretches of the river like the UN Park in Lalitpur and the initiatives taken by community organizations like the MakaibariTole-SudharSamiti, WEPCO and PWEDO (Populations Women Environmental Development Organization) to manage and control solid waste dumping in certain stretches of the river. Such efforts need to be scaled up and extended to cover the whole stretch. Such initiatives would be best carried out by community level organizations with very little help from the government.
72. The adoption of river stretches by communities, private sector and local NGOs would be an important way of ensuring that the river environment is improved and the communities benefit from the river front development. It is proposed that the greenbelts and river banks along the improved Bagmati River be managed by the user committees formed by the local communities or by interested private sector or local CSOs and NGOs. The following modality of adoption of river stretches is proposed.
 - A national NGO working in the field of environment and community mobilization will be recruited under a NGO contract with the responsibility of mobilizing the communities and forming user committees to take up the responsibility of adoption of river stretches.
 - The selected NGO will carry out community awareness and mobilization activities and assist in establishing user communities to adopt and manage stretches of the river. These

stretches can be developed by the communities as gardens and parks for local communities' benefits, including development of floriculture and small forestry patches for beautification.. The user committees will be registered with the local ward offices of the VDCs or municipalities or with the District Administrative Office (DAO) depending on the scope and area of coverage. Selected NGO will assist the user committees in the registration process. The CSOs can even raise funds by collecting subscriptions from visitors to sustainable maintenance of the parks.

- Competition for award giving will be organized periodically by the VDCs or municipalities in order to boost up the morale of the CSOs and NGOs involved in nature conservation work. The CSOs and NGOs can even build temples or cultural promotional small museums within the park to attract regular visitors.
- HPCIDBC, the Implementing Agency (IA) for the project, will prepare the technical guidelines and regulations for the operation of the green belts and the development to be carried out within it. HPCIDBC along with the VDCs and Municipalities will monitor and regulate the activities of the user committees. HPCIDBC will allocate the river stretches to be managed and adopted by each user committee. Private sector may also apply to adopt certain stretches of the rivers under their corporate social responsibility (CSR) activities or support user committees or local NGOs to do so.
- The forum of all user committees adopting the river stretches may be established to work with HPCIDBC and VDCs and municipalities to self monitor the activities. Such a forum will coordinate with other activities like the annual Bagmati River Festival to showcase their achievements. A "Score Card" system will be used to select the best performing user communities and to encourage others to improve. The modality of the "score card" systems needs to be development by the participating communities, private sectors and the local bodies (municipality wards and VDCs).
- Seed money will be provided to community- or private sector- led local initiatives on river environment management to the CSOs and small private entrepreneurs.

Score Card System will be based on the factors/indicators such as:

1. Hygiene (Health) –bacterial level suitable for religious
2. Biological function – dissolve oxygen
3. Aesthetic – smell, color
4. Social function – people's perception, use of the river
5. Physical – quantity and depth of water

(Details of the score card system will be worked out through consultations with the participating community organizations dueing project oplementation.

3.2.5 Communication Strategy⁷

73. A key part of BRBIP implementation strategy will be a Stakeholder Communications Strategy (SCS). The BRBIP SCS is part of the overall BRBIP Participation Strategy, as it actively encourages affected stakeholders to become involved in project preparation and implementation activities. The SCS focuses on information sharing and consultation, and guides communications with stakeholders during project implementation. Key goals and elements of any SCS are information dissemination, education and awareness raising, encouraging dialogue, and fostering behavioral change.
74. An important finding of the PPTA Team is that all sectors in the Bagmati River Basin have expressed a need to understand other sectors. The BRBIP SCS will be a part of building that understanding and helping engage and inform relevant Bagmati River stakeholders and sectors with

⁷A more comprehensive description of the BRBIP Communication Strategy is available in other BRBIP Project documents.



timely, accurate, and comprehensive information shared among stakeholders. Such information sharing will help to build consensus and ensure continuous stakeholder support throughout the Project. The SCS will help link the Project with relevant stakeholders through information sharing and consultation.

3.2.5.1 Long-Term SCS Activities Focused on BRBIP Loan Project

75. The longer-term SCS includes: (i) developing and implementing institutional mechanisms for water dialogue in the river basin, (ii) supporting multiple communication methods to convey key project messages, (iii) facilitating information sharing among key implementing partners, (iv) continuing field-level discussions with affected people, particularly at the dam/reservoir sites, and (v) supporting sub-projects to achieve visible results in cleaning up the Upper Bagmati (in conjunction with KVUEIP activities).
76. Specific Audiences for Long-Term SCS
77. Audiences for the BRBIP SCS include not only the stakeholders noted above, but also: (i) media outlets, (ii) political groups, (iii) schools and colleges, (iv) wards and VDCs close to the river, (v) women's and mothers' groups, (vi) forest user groups, and (vii) youth clubs.
78. Of particular importance to the BRBIP SCS are three primary audiences:
 - Local Communities, primarily along the Upper Bagmati
 - Local people residing in the particular area
 - Women's groups
 - Farmers' groups
 - Other community members
 - The general public, throughout the Bagmati River Basin, but particularly in the Kathmandu Valley
 - Government
 - Local (VDCs, DDCs)
 - National (GON)
79. The BRBIP SCS includes messages, methods, responsible implementers, and a timeline for each of those three audiences described above. **Annexes 1, 2, and 3** describe the details of the BRBIP communication strategy for each audience.
80. Overarching/cross-cutting themes and key elements of the long-term BRBIP SCS are described below:

3.2.5.2 Overarching Themes and Key Elements of the SCS

81. "Three A's" Sequence for Communication Messages
 - The BRBIP communication strategy will initially focus on the "3-A cycle":
 - Awareness
 - Awake
 - Action
82. "Owned by the Valley People"
 - Most of the BRBIP communication strategies and activities will be "owned and operated by the valley people", e.g. local communities and the public-at-large need to feel that the communication messages and activities belong to them. These activities include cleaning the river, solid waste management, picnic spot management, etc.
83. Development of Mechanisms for Communication, Participation, and Dialogue

- The project will create and facilitate mechanisms to encourage stakeholders to participate in project preparation and implementation. For the shorter-term PPTA, these mechanisms include general and specialized workshops, focus group discussions in the field, and individual meetings. For the longer-term loan project, mechanisms will include encouraging and facilitating the development of working groups and an NGO Platform made up of key stakeholders to participate in the project. These working groups would initially focus only on technical/scientific information exchange, and then gradually evolve into working groups on policy, legal frameworks, and institutional strengthening.

3.2.6 Development and Deployment of a Bagmati DSS and Knowledge-Based Decisions

84. To ensure integrated data and information for improved river basin management on the Bagmati, BRBIP will support the development and deployment of a Bagmati Decision Support System (DSS). This DSS will support Integrated Water Resources Management planning and investment decisions in the Bagmati Basin. Its scope will include not only the Bagmati DSS itself, but also the development of core institutional capabilities to assist in the evaluation of alternative development strategies and the identification of investment projects at the basin or sub-basin level in future.
85. The basic purpose of the Bagmati DSS will be to provide a framework for knowledge sharing, understanding the river system behavior, designing and evaluating alternative development scenarios, investment projects, and management strategies. The Bagmati DSS will also help to support basin wide communication and information exchange.
86. The functional requirements of the DSS will depend on institutional interaction between data collection institutions (DHM for hydrology and meteorology, HPCIDCB presently doing WQ monitoring etc.), and the institutions that will have access and use the Bagmati DSS.

3.2.7 Proper Legal Framework

(Develop from PPTA Legal Specialist)



4 ANNEX

ANNEX A: Stakeholders' Consultation Table

STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
GOVERNMENT				
WECS	<ul style="list-style-type: none"> To establish RBOs in three major river basins (Koshi, Gandaki, Koshi) and sub-basin organizations (offices) within RBOs. Bagmati Basin, although not part of the major basins, would be under one of the three major RBOs. WECS to serve as the Apex body 	<ul style="list-style-type: none"> Institutions themselves are problem. No institution to address Bagmati problems in integrated way; only sectoral programs; no mechanism for holistic river basin approach where all water uses, regions' requirements including environmental needs are considered. 	<ul style="list-style-type: none"> Primarily manpower resources with water resources, water supply, irrigation staff Has interdisciplinary human resources and organizational structure with Divisions dealing with Water Resources, Energy, Legal and Institutional Development and Socio-economic and Environment. 	<ul style="list-style-type: none"> Apex body to formulate policies and strategies and play an advisory role in water resources and energy sector. Currently implementing initial RBO activities in pilot sub-basins like In-drawati, Babai and West Rapti.
HPCIDPC	<ul style="list-style-type: none"> To clean Bagmati River and its tributaries by preventing the direct discharge of solid and liquid wastes to the river and to conserve the river system within Kathmandu. 	<ul style="list-style-type: none"> Problems out of their control: (i) low discharge in Bagmati, (ii) so many parties involved with overlapping responsibilities, (iii) encroachment and squatters. Other problems they can control: (i) extraction of sand from river, and (ii) solid waste in river. Need Bagmaticlean up/ restoration following Bagmati Action Plan with focus on construction of sewer pipelines, wastewater treatment plants, river training works, 	<ul style="list-style-type: none"> Rich in resources, including manpower, financial, and equipment. Technical expertise to implement waste water management and river improvement projects, other complementary projects under BAP on-going. 	<ul style="list-style-type: none"> Key coordinating and leading agency of the Bagmati Action Plan (within Kathmandu Valley). Waiting for passage of HPCIDPC Act by legislature which would give organization authority and real power.

STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
		roads and green belts along the banks of the river and public awareness program.		
ShivpuriNagarjun National Park, Department of National Parks and Wildlife (DNPW)	<ul style="list-style-type: none"> All activities within the national parks shall be carried out by strictly following the National Parks Act 	<ul style="list-style-type: none"> Will support any government effort to improve the Bagmati River Environment Believes that the conservation of the upper watersheds including Shivpuri-Nagarjun National Park have contributed to improve the water resources in the Bagmati Basin 	<ul style="list-style-type: none"> Government agency for the management of national parks under an Act approved by the Parliament 	<ul style="list-style-type: none"> Full management and regulation in the National Park Areas
Sundirijal VDC	<ul style="list-style-type: none"> Want to see the full implementation of the Bagmati Action Plan (BAP), and GON Local Decentralized Act (2056). 	<ul style="list-style-type: none"> Bagmati River improvements not possible without imitation of a special community development program to cover Wards 1-6 of VDC including close coordination with National Park, DDC, and VDC 	<ul style="list-style-type: none"> GON, Local Agency, DDC allocate the budget per year. But it is not enough. 	<ul style="list-style-type: none"> Performing at VDC level activities as local GON agency.
Ministry of Local Development (Solid Waste Technical Support Center)	<ul style="list-style-type: none"> Technical assistance and support to municipalities regarding solid waste management. 	<ul style="list-style-type: none"> Lack of government and public awareness in reduce, recycle, and re-use. 	<ul style="list-style-type: none"> Has small GON budget; some financial assistance from UN; working with ADB TA. 	<ul style="list-style-type: none"> GON Solid Waste Act of 2011.
Kathmandu Valley Development Authority (KVDA)	<ul style="list-style-type: none"> Want to play more role on the project execution and coordinate work within Kathmandu Valley 	<ul style="list-style-type: none"> For Bagmati improvement, land pooling is priority. Also policy and management differences with HPCIDBC. 	<ul style="list-style-type: none"> GON Budget 	<ul style="list-style-type: none"> Kathmandu Valley Town Development Act (1988) establishes KVDA and provides legal basis for implementing town development plans.
Nepal Electricity Authority (NEA)	<ul style="list-style-type: none"> To develop and distribute hydroelectricity 	<ul style="list-style-type: none"> Since hydropower is a non-consumptive use, NEA does not consider hydropower affecting the water discharge 	<ul style="list-style-type: none"> Technical and financial resource to handle large infrastructure projects including dams 	<ul style="list-style-type: none"> Generation, transmission and distribution of electricity in the country
Kathmandu UpatyakaKhan-	<ul style="list-style-type: none"> To ensure reliable water 	<ul style="list-style-type: none"> Lack of resources to meet 	<ul style="list-style-type: none"> Technical manpower 	<ul style="list-style-type: none"> Water supply and sanita-



STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
epani Limited (KUKL)	supply and sanitation to its customers	its objectives of reliable water and sanitation services	and experience	tion services in Kathmandu Valley (municipality areas and surrounding VDCs)
Municipalities	<ul style="list-style-type: none"> Ensure services to its residents including solid waste management, clean environment and water supply 	<ul style="list-style-type: none"> Lack of resources and infrastructure Duplication of mandates and interests among stakeholders 	<ul style="list-style-type: none"> Financial resource from property and other taxes Legal mandate to manage both resources and services 	<ul style="list-style-type: none"> Political and legal body to manage the land and water resources (rivers) within its jurisdiction
Department of Urban Development and Building Construction (DUDBC)	<ul style="list-style-type: none"> Conservation of historical and cultural heritage and urban development Development of Kathmandu Valley as tourist and cultural center Mobilization of local bodies and private sector in urban infrastructure development Management of urban development and Rural-Urban partnership program 	<ul style="list-style-type: none"> Lack of implementation of policy and building codes Lack of legal framework to regulate the river environment 	<ul style="list-style-type: none"> Government body to manage urban development 	<ul style="list-style-type: none"> Development of Kathmandu Valley as tourist and cultural center
CIVIL SOCIETY				
NTNC	<ul style="list-style-type: none"> Wants to see the full implementation of the Bagmati Action Plan (BAP). NTNC a “semi-government” agency, not really NGO. 	<ul style="list-style-type: none"> Bagmati clean-up/restoration not possible without promulgation of a Special Act with HPCIDBC entrusted with a legal authority to manage the Bagmati river protection including taking legal action against polluters of the river. 	<ul style="list-style-type: none"> Has capacity, not power; has global contacts and capacity to bring resources (human and financial). Strength on mobilizing local communities. 	<ul style="list-style-type: none"> Manage national parks and implement nature conservation activities in Nepal under a Special Act promulgated by the National Parliament. Can take legal action in park and enforce behavior.
WEPCO	<ul style="list-style-type: none"> Solid waste management and recycling 	<ul style="list-style-type: none"> Solid waste and sewage dumped into Bagmati. 	<ul style="list-style-type: none"> Close contact with women’s groups; “sis- 	<ul style="list-style-type: none"> Registered NGO with municipalities.

STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
	<ul style="list-style-type: none"> Women's organizations. 	<ul style="list-style-type: none"> Land encroachment. 	<ul style="list-style-type: none"> ter organizations". "Waste is our resource. 	
BagmatiSewaSamiti	<ul style="list-style-type: none"> Pressure on GON to restore Bagmati. 	<ul style="list-style-type: none"> Four key problems: (i) direct sewage in river, (ii) sand excavation, (iii) no demarcation of Bagmati, and (iv) garbage dumping. 	<ul style="list-style-type: none"> Few financial resources; can mobilize local people, write and publish articles. 	<ul style="list-style-type: none"> NGO focusing on Bagmati River registered with the Lalitpur District Administration Office
NGO Forum for Water and Sanitation	<ul style="list-style-type: none"> Water rights. Policy reform on water and sanitation. 	<ul style="list-style-type: none"> Duplication of efforts. Lack of consideration of other options for water supply, e.g. groundwater, rainwater, etc. 	<ul style="list-style-type: none"> Legal resources; attorneys, environmental health professions and good working relations with urban poor . Forum of different NGOs Working with KUKL and other GON agencies 	<ul style="list-style-type: none"> Advocacy on water supply and sanitation issues Forum of NGOs
ProPublic	<ul style="list-style-type: none"> Member of NGO Forum Use legal mechanisms to protect Bagmati environment related to water and sanitation Cleaning of Bagmati Welfare of water, river, gender, children 	<ul style="list-style-type: none"> Recommendations from past studies not followed GON not working in public interest- NGO that filed a Public Interest Litigation (PIL) Case in the Supreme Court regarding GON intervention to revive Bagmati River 	<ul style="list-style-type: none"> Legal resources; attorneys. 	<ul style="list-style-type: none"> Advocacy on consumer rights and filing PIL in courts regarding issues concerning the general public
Lumanti	<ul style="list-style-type: none"> Advocacy for urban poor and improved housing and shelter. 	<ul style="list-style-type: none"> Urban poor have no voice; marginalized. 	<ul style="list-style-type: none"> Some funding by international groups, e.g. UN. Working relations with the urban poor 	<ul style="list-style-type: none"> Advocacy and actions in support of housing and shelter for urban poor
Sundarijal-Bagmati-GorkanaConcern Group	<ul style="list-style-type: none"> Full attention to implementation of donor agency(ADB) and GON 	<ul style="list-style-type: none"> A few local people expressed desire to relocate above Sunaraijal as area is 	<ul style="list-style-type: none"> Human strength on convincing and mobilizing local communi- 	<ul style="list-style-type: none"> Seven VDCs Concern Group, don't have any legal identity.



STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
(Seven VDCs between Sundarijal and Gorkana)	program in upper stream of Bagmati	getting populated and polluted. <ul style="list-style-type: none"> Without relocation it is not possible to clean Bagmati, because they pollute head of Bagmati. 	ties.	<ul style="list-style-type: none"> Initiated by themselves.
Bagmati-Nagmati Users Committee	<ul style="list-style-type: none"> Full attention to implementation of donor agency(ADB) and GON program in upper stream of Bagmati. 	<ul style="list-style-type: none"> A few local people expressed desire to relocate above Sunaraijal as area is getting populated and polluted.. Without relocation it is not possible to clean Bagmati, because they pollute head of Bagmati. 	<ul style="list-style-type: none"> Human strength on convincing and mobilizing local communities. 	<ul style="list-style-type: none"> Local User's Committee
Bagmati Consultative Group	<ul style="list-style-type: none"> A clean Bagmati. Saving the environment 	<ul style="list-style-type: none"> Pollution and solid waste becoming a bigger problem. 	<ul style="list-style-type: none"> Their own local resources from their own local communities. 	<ul style="list-style-type: none"> Informal mandate from the seven VDCs to help clean the Bagmati.
Pashupati Area Development Trust (PADT)	<ul style="list-style-type: none"> To enhance/revive people's faith of the holy rivers 	<ul style="list-style-type: none"> River environment is degraded due to upstream water diversion and can be improved with increase in dry season flow 	<ul style="list-style-type: none"> Government budget for PADT area development Temple earnings/donations and Fees collected from pilgrims and tourists, rentals from shops provide necessary annual operation 	<ul style="list-style-type: none"> PADT established under a Special Act ratified by the Parliament An area of 264 ha of the temple complexes including stretches of Bagmati River and Dhobi Khola falls under its jurisdiction
Farmer associations / cooperatives ASC Agricultural Service Center	<ul style="list-style-type: none"> Improve access to water Improve irrigation efficiency Water rights 	<ul style="list-style-type: none"> River level has significantly decreased As water scarcity becomes more frequent, problems and conflicts related to water allocation have increased 	<ul style="list-style-type: none"> Resource is a problem. Farmers do not have enough resource to improve irrigation facilities They can mobilise VDC resources for irrigation network im- 	<ul style="list-style-type: none"> Registered by the VDC (LSG Act) as a user group. They collect money for collective work and try to manage conflict between users

STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
			provement	
Private Sector				
FNCCI	<ul style="list-style-type: none"> As an umbrella organization for private sector, river environment is an important factor for tourism and business development 	<ul style="list-style-type: none"> Shortcoming of responsible agencies to manage and regulate the river environment 	<ul style="list-style-type: none"> Support and financial resource from its large membership private sector 	<ul style="list-style-type: none"> Umbrella organization of industries and commerce
Carpet factory association	<ul style="list-style-type: none"> Have access to cheaper water or more water with a reliable service in order to produce more carpets and have more benefits 	<ul style="list-style-type: none"> Too many users on the same resource They agree to invest on wastewater treatment but do not have enough visibility regarding evolution of the business. As the “bubble” seems to decrease they are not keen to spend money on a risky sector. 	<ul style="list-style-type: none"> They invest regularly in the VDC public facilities: road, school, temple constructions They have economic resource from the business and good relations with VDC secretaries 	<ul style="list-style-type: none"> Represent carpet factories interest To bring together all the scattered carpet industries and promote organized efforts for the betterment of the carpet industry To maintain and ensure a sustained supply of raw materials for the benefit of carpet industries
Brick factory association	<ul style="list-style-type: none"> Increase access to water in order to increase brick production 	<ul style="list-style-type: none"> River level has decreased Too many users on the same resource Problems with farmers who do not respect agreement. The factories pay for the land renting and farmers are asking factories to shut down afterwards 	<ul style="list-style-type: none"> Economic resource 	<ul style="list-style-type: none"> Represent brick factories interest
DEVELOPMENT PARTNERS				
UN Habitat	<ul style="list-style-type: none"> Urban human settlements. Water, urban, and services. 	<ul style="list-style-type: none"> Biggest problems are managerial, not technical. Problems with fragmented responsibilities and capacity of organizations, ownership, and commitment. 	<ul style="list-style-type: none"> Has technical resources. Can assist GON to allocate funding wisely. Can act as facilitator and mediator. 	<ul style="list-style-type: none"> A small agency within the larger UN.



STAKEHOLDER GROUP	STAKEHOLDER INTEREST	PERCEPTION OF PROBLEM	RESOURCES	MANDATE
International Union of Nature Conservation (IUCN)	<ul style="list-style-type: none"> Planning and implementing participatory watershed management in the Bagmati Basin 	<ul style="list-style-type: none"> Participatory Watershed management is a important component of any river basin improvement program 	<ul style="list-style-type: none"> International recognition and network MOU with HPCIDBC already in place for watershed management 	<ul style="list-style-type: none"> International agency specialising in nature conservation including watershed management
Capacity Building for Waste Management Project (ADB TA)	<ul style="list-style-type: none"> Developing high-level policies, strategies, and guidelines for solid waste management 	<ul style="list-style-type: none"> Municipalities have no options other than to dump solid waste in Bagmati as there are no land-fill sites. 	<ul style="list-style-type: none"> Policy documents and brainpower. 	<ul style="list-style-type: none"> ADB-financed TA. Focus on awareness-raising.
Kathmandu Valley Urban Environmental Improvement Project, ADB PPTA 7936	<ul style="list-style-type: none"> Develop improved wastewater services, management, and infrastructure. 	<ul style="list-style-type: none"> KUKL has institutional, managerial, financial, and physical weaknesses and limitations. Wastewater management in KV needs more resources and trained personnel. 	<ul style="list-style-type: none"> ADB PPTA; project design team. Designing improved urban wastewater treatment strategy. 	<ul style="list-style-type: none"> Prepare and design upcoming loan project for GON and KUKL.
INDIVIDUALS				
Mr.IswerOnta and Dr.UpendraGautam	<ul style="list-style-type: none"> Representatives of JalsrotVikasSanstha (JVS) and Nepal Water Partnership (NWP). NGOs dedicated to water issues in Nepal 	<ul style="list-style-type: none"> Problems in Bagmati are numerous and need integrated approach. 	<ul style="list-style-type: none"> Limited financial resources but ability to write, lecture, and hold seminars on Nepal water issues. Pool of senior resource persons with social, legal and technical background 	<ul style="list-style-type: none"> Registered NGO in Nepal.

ANNEX B: BRBIP Stakeholder Consultation Record

INSTITUTION / PERSONNEL	BRBIP PARTICIPATORY STAKEHOLDER WORKSHOP 27 August 2012	BRBIP NGO PARTICIPATORY WORKSHOP 02 October 2012	INDIVIDUAL MEETINGS AND DIRECT CONSULTATION
GON			
Water and Energy Commission Secretariat ShishirKoirala SriranjanLacoul SanjayaDhungel	August 27, 2012		Multiple
High Powered Committee for Integrated Development of Bagmati Civilization Mahesh Basnet Gajendra Kumar Thakur	August 27, 2012		Multiple
Ministry of Urban Development Kishore Thapa, Secretary			October 15, 2012
Kathmandu Valley Water Supply Management Board			August 14, 2012
Kathmandu UpatyakaKhanepani Ltd Sunil Dhoj Joshi Darryl Jackson	August 27, 2012		August 14, 2012
Ministry/Department of Irrigation Mr. Sharma	August 27, 2012		Multiple
Dept. of Water Induced Disaster Prevention	August 27, 2012		Multiple
Department of Water Supply & Sanitation	August 27, 2012		
Dept. of Urban Development & Building Construction	August 27, 2012		
Kathmandu Valley Development Authority KeshavSthapit	August 27, 2012		August 13, 2012
Kathmandu Metropolitan City	August 27, 2012		
MOSFC-DNP			June 28, 2012
ShivapuriNagarjun National Park			Multiple
PID for Kathmandu Valley Water Supply and Sanitation Project	August 27, 2012		Multiple



INSTITUTION / PERSONNEL	BRBIP PARTICIPATORY STAKEHOLDER WORKSHOP 27 August 2012	BRBIP NGO PARTICIPATORY WORKSHOP 02 October 2012	INDIVIDUAL MEETINGS AND DIRECT CONSULTATION
NGOs, INGOs, CSOs, CBOs and LOCAL GROUPS			
BagmatiSewaSamiti Mr.Newa	August 27, 2012		August 14, 2012
NGO Forum/ProPublic Mr. Sharma Anil Sthapit	August 27, 2012	October 2, 2012	August 15, 2012
NTNC Mr.Bajracharya		October 2, 2012	May 18, 2012
WEPCO NehaBisht	August 27, 2012	October 2, 2012	May 21, 2012
Lumanti MahendraShakya	August 27, 2012	October 2, 2012	August 15, 2012
PADT Kosh Prasad Acharya			September 24, 2012
MakkalbariToleSudharSamiti Binit Raj Aryal		October 2, 2012	
GPA/ROPC Bindu Raj Adhikari		October 2, 2012	
DigoYatra Shanta G.C		October 2, 2012	
TalejuBhawaniSamudaya Club Shiva HariShrestha		October 2, 2012	
ECCA YogendraChitrakar		October 2, 2012	
Nepal NagarikSamaj Gauri Shankar Chaudhari		October 2, 2012	
NRCT MausamKhanal		October 2, 2012	
JalSanjal PrakashAmatya		October 2, 2012	
Power to People Nepal Sunil Kumar Shrestha		October 2, 2012	
BalSarahi LekhaGhimire		October 2, 2012	
DidiBahini KabindraRegmi		October 2, 2012	
BagmatiBachau Himmat S Lehali		October 2, 2012	
Bagmati and Shalmati Users committee Anil Tamang		October 2, 2012	
NRCT Megh Ale		October 2, 2012	
PTTP/Nepal BabitaRana		October 2, 2012	
NawaJagaruk Yuba Club Dinesh Dhital Amrit Jung Thapa		October 2, 2012	

INSTITUTION / PERSONNEL	BRBIP PARTICIPATORY STAKEHOLDER WORKSHOP 27 August 2012	BRBIP NGO PARTICIPATORY WORKSHOP 02 October 2012	INDIVIDUAL MEETINGS AND DIRECT CONSULTATION
DEVELOPMENT PARTNERS			
International Water Management Institute SandeshAmatya SantoshSilwal		October 2, 2012	
KVUEIP	August 27, 2012		Multiple
UN HABITAT	August 27, 2012		May 22, 2012
International Union for Conservation of Nature Dr Yam Malla	August 27, 2012		June 15, 2012
PRIVATE SECTOR			
FNCCI			December 2, 2012
COMMUNITIES IN PROJECT AREA			
Dam/Reservoir Area (Dhap, Sindirajal, etc.)			August 1, 2012
Upper Bagmati (7 VDCs)	August 27, 2012	October 2, 2012	October 3, 2012
Manohara			
Marin Khola			June 22, 23 2012
INDIVIDUALS			
IswerOnta	August 27, 2012		August 23, 2012
PrachendraPradhan			October 12, 2012
Deepak Gawayli			October 13, 2012



ANNEX C: Summary Of Meetings And Consultations

May – October 2012

DATE: Multiple Meetings	WHO: Mr.SriranjanLacoul, Joint Secretary and Mr.ShishirKoirala, Senior Divisional Engineer, WECS
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • To establish RBOs in three major river basins (Koshi, Gandaki, Koshi) and sub-basin organizations (offices) within RBOs. • Bagmati Basin, although not part of the major basins, would be under one the three major RBOs. • WECS to serve as the Apex body. • Has interdisciplinary human resources and organizational structure with Divisions dealing with Water Resources, Energy, Legal and Institutional Development and Socio-economic and Environment. • Apex body to formulate policies and strategies and play an advisory role in water resources and energy sector. • 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Institutions themselves are problem. • No institution to address Bagmati problems in integrated way; only sectoral programs; no mechanism for holistic river basin approach where all water uses, regions' requirements including environmental needs are considered. • Currently implementing initial RBO activities in pilot sub-basins like Indrawati, Babai and West Rapti. 	

DATE: Multiple Meetings	WHO: Mr. Mahesh Basnet and Mr.Gajendra K. Thakur, HPCIDBC
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • HPC: To clean Bagmati River and its tributaries by preventing the direct discharge of solid and liquid wastes to the river and to conserve the river system within Kathmandu. • Problems out of their control: (i) low discharge in Bagmati, (ii) so many parties involved with overlapping responsibilities, (iii) encroachment and squatters. • Other problems they can control: (i) extraction of sand from river, and (ii) solid waste in river. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Need Bagmaticlean up/ restoration following Bagmati Action Plan with focus on construction of sewer pipelines, wastewater treatment plants, river training works, roads and green belts along the banks of the river and public awareness program. • Rich in resources, including manpower, financial, and equipment. • Technical expertise to implement waste water management and river improvement projects, other complementary projects under BAP on-going. • Key coordinating and leading agency of the Bagmati Action Plan (within Kathmandu Valley). • Waiting for passage of HPCIDPC Act by legislature which would give organization authority and real power. 	

DATE: May 19, 2012	WHO: Sundirajal VDC; met in Dhap area.
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • Want to see the full implementation of the Bagmati Action Plan (BAP), and GON Local Decentralized Act (2056). • GON, Local Agency, DDC allocate the budget per year. But it is not enough. • Performing at VDC level activities as local GON agency. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Bagmati River improvements not possible without initiation of a special community development program to cover Wards 1-6 of VDC including close coordination with National Park, DDC, and VDC 	

DATE: May 20, 2012	WHO: Dr.SumitraAmatya, Ministry of Local Development (Solid Waste Technical Support Center)
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Technical assistance and support to municipalities regarding solid waste management. • Has small GON budget; some financial assistance from UN; working with ADB TA. • GON Solid Waste Act of 2011. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Lack of government and public awareness in reduce, recycle, and re-use. 	

DATE: May 18,2012	WHO: Mr.SidarthaBajracharya, NTNC
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • NTNC a “semi-government” agency, not really NGO. • Has capacity, not power; has global contacts and capacity to bring resources (human and financial). • Strength on mobilizing local communities. • Manage national parks and implement nature conservation activities in Nepal under a Special Act promulgated by the National Parliament. • Can take legal action in park and enforce behavior. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Wants to see the full implementation of the Bagmati Action Plan (BAP). • Bagmati clean-up/restoration not possible without promulgation of a Special Act with HPCIDBC entrusted with a legal authority to manage the Bagmati river protection including taking legal action against polluters of the river. 	

DATE: May 21, 2012	WHO: Ms.BishnuThakali, Women Environmental Preservation Committee (WEPCO)
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Solid waste management and recycling • Women’s organizations. • Solid waste and sewage dumped into Bagmati. • Land encroachment. • “Waste is our resource. • Registered NGO with municipalities. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Close contact with women’s groups; “sister organizations”. 	

DATE: May 19, 2012	WHO: Sundarijal-Bagmati-Gorkana Concern Group (Seven VDCs between Sundarijal and Tilganga)
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Need to relocate the people of Wards 1-6 of Sundarijal VDC. • Without relocation it is not possible to clean Bagmati, because they pollute head of Bagmati. • Human strength on convincing and mobilizing local communities. • Seven VDCs Concern Group, don’t have any legal identity. • Initiated by themselves. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Full attention to implementation of donor agency(ADB) and GON program in upper stream of Bagmati. 	

DATE: May 19, 2012	WHO: Bagmati-Nagmati Users Committee
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Need to relocate the people of Wards 1-6 of Sundarijal VDC. • Without relocation it is not possible to clean Bagmati, because they pollute head of Bagmati. 	



<ul style="list-style-type: none"> • Human strength on convincing and mobilizing local communities. • Local User's Committee
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Full attention to implementation of donor agency(ADB) and GON program in upper stream of Bagmati.

DATE: May 22, 2012	WHO: Mr.Bhushan Tuladhar, Regional Technical Advisor, South Asia, UN HABITAT
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • Urban human settlements. • Water, urban, and services • Has technical resources. • Can assist GON to allocate funding wisely. • Can act as facilitator and mediator • A small agency within the larger UN. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Biggest problems are managerial, not technical. • Problems with fragmented responsibilities and capacity of organizations, ownership, and commitment. 	

DATE: May 21, 2012	WHO: Mr. Surya Man Shakya, Capacity Building for Waste Management Project (ADB TA 7597-NEP)
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • Developing high-level policies, strategies, and guidelines for solid waste management • Policy documents and brainpower. • ADB-financed TA. • Focus on awareness-raising. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • Municipalities have no options other than to dump solid waste in Bagmati as there are no landfill sites. 	

DATE: May 24, 2012	WHO: Mr Eric Tilman and JWA Team
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • River basin organization structure proposed by JWA. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • An option with a river basin council for RBO for the project 	

DATE: June 15, 2012	WHO: Dr Yam Malla, IUCN
SUMMARY OF KEY POINTS: <ul style="list-style-type: none"> • Presentation of IUCN Concept note on watershed management • Introduction of BRBIP . 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN <ul style="list-style-type: none"> • IUCN and HPCIDBC have signed an MOU to work together on watershed management • Total estimated budget for this is \$8.1 • IUCN will be happy to partner with ADB and BRBIP on further work on this issues 	

DATE: June 28, 2012	WHO: Mr Krishna Acharya, DG and Mr Kamal J Kunwar, Dept of National Parks and Wildlife
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> Request for approval for PPTA team surveys for topographical surveys, social safeguard and environmental studies in ShivpuriNagarjun National Parks Rationale of reservoirs and expected activities were briefed 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> Department has instructed the ShivpuriNagarjun National Park to support the BRBIP team in the survey activities Department requests the PPTA team to follow the National Parks Act while carrying out the surveys 	

DATE: July 9, 2012	WHO: Various stakeholders during HPCIDBC and IUCN organized Symposium in Hotel Annapurna
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> IUCN and HPCIDBC presented their concept notes for watershed management and river environment improvement in the presence of the Prime Minister and key stakeholders Key government agencies, donors and civil society representatives were present 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> HPCIDBC presentation included information on BRBIP interventions including the reservoirs for flow augmentation There was general consensus and support for the proposed activities 	

DATE: August 13, 2012	WHO: Mr.KeshavSthapit, Development Commissioner, KVDA
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> KVDA will be very active in land pooling soon in Upper Bagmati. Has very serious policy differences with Chairman of HPCIDBC. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> HPCIDBC involved with land pooling, perhaps without legal authority KVDA will push ahead with land pooling in areas of BRBIP. Could be serious policy and implementation conflicts between KVDA and HPCIDBC. 	

DATE: August 13, 2012	WHO: Mr.SauendraNewa; President of BagmatiSewaSamiti
SUMMARY OF KEY POINTS:	
Pressure on GON to restore Bagmati; BSS does not “clean” the river.	
<ul style="list-style-type: none"> Four key problems: (i) direct sewage in river, (ii) sand excavation, (iii) no demarcation of Bagmati, and (iv) garbage dumping. These four problems not result of people, but of government inaction; people have been deceived by the government. BSS has experience in pressuring GON, can mobilize many people. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> BSS will be member of BRBIP Steering Committee, they will have a voice. Well respected NGO in KV, their views should be considered carefully. 	

DATE: August 14, 2012	WHO: Mr.HannuPelkonen and his KVUEIP PPTA Team; other GON officials at KVUIEP Workshop
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> KUKL needs strengthening in many areas – technically, financially, physically, institutionally, etc. KVUEIP focuses on improved wastewater services, management, and infrastructure. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> KVUEIP wants to coordinate with BRBIP PPTA. “We’re in the same boat.” 	
DATE: August 15, 2012	WHO: Mr.Prakash Sharma, President of NGO



	Forum
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • NGO Forum focuses on water rights. • Policy reform on water and sanitation. • Says there is duplication of efforts. • Lack of consideration of other options for water supply, e.g. groundwater, rainwater, etc. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • NGO Forum will have future role on BRBIP Steering Committee. • Well respected NGO in KV. 	

DATE: August 15, 2012	WHO: Mr.Prakash Sharma, President of ProPublic
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Member of NGO Forum • Use legal mechanisms to protect Bagmati environment related to water and sanitation • Cleaning of Bagmati • Welfare of water, river, gender, children 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • ProPublic very well respected by ADB, they will listen to ProPublic's views. 	

DATE: August 15, 2012	WHO: Ms.LazanaManadhar, Lumanti Support Group for Shelter
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Advocacy for urban poor and improved housing and shelter • Urban poor have no voice; marginalized. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Closely allied with KVDA and Mr.Sthapit. 	

DATE: August 22, 2012	WHO: Mr.IswerOnta and Dr.UpendraGautam of JVS and Nepal Global Water Partnership
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • Both individuals see many problems and issues in Bagmati, need integrated approach. • Much discussion about their potential roles in BRBIP Participatory Stakeholders' Workshop. 	
IMPLICATIONS FOR BRBIP PROJECT DESIGN	
<ul style="list-style-type: none"> • Mr.Onta will summarize the August 27, 2012 workshop discussions. Could be fruitful to discuss with him privately his project design opinions after the workshop. 	

DATE: 24 September, 2012	WHO: Mr.SushilNahata (Member Secretary), Mr.Kosh Prasad Acharya (Executive Director), Mr ShyamShekharJha (Senior Director), Mr RajendraDharRajopadhyay (Deputy Director) and Mr PremHariDhungana (Chief Accounts Officer), Mr Akrur Singh Mahat (Engineer)
PPTA Team Members- DevendraGangol and Divas B Basnyat	
SUMMARY OF KEY POINTS:	
<ul style="list-style-type: none"> • The key solution to improve the degraded river environment would be to increase the river flows in the dry season. • PADT 's area of jurisdiction within the Upper Bagmati River covers about 1.5 km starting from about 300 m upstream of Guheswori to Tilganga • PADT owns about 536 'ropanis' (more than 100 ha) of land upstream of Guheswori which they would be willing to provide to store rainwater in the wet season (the technical feasibility of this is however questionable) • PADT in general does not consider a need for ADB support to undertake in-river activities within its jurisdiction but would be open to cooperate if BRBIP approaches with <u>such a proposal</u>. PADT 	

can and will construct any channel, maintenance of Ghats or retrofit bridges by its own resources. (I think, *such a proposal* was directed towards any projects related to Bagmati basin as whole in the Valley, specially the upper Bagmati area)

- PADT is constructing an “electric crematorium” which they believe would reduce the number of people opting for open firewood cremation.

IMPLICATIONS FOR BRBIP PROJECT DESIGN

- .Any intervention proposed within the PADT jurisdiction will need to be agreed by PADT. PADT will also seek guidance from cultural/religious leaders/experts as required before approval.



ANNEX D: **Assessing Social And Institutional Issues/Obstacles Affecting Participation, Ownership, Acceptance, And Adoption And Potential Strategies To Overcome These Obstacles**

Six Key Obstacles to Participation and Ownership

At a minimum, there are six social issues or obstacles that could negatively affect participation, ownership, acceptance, and/or adoption of Project activities: (i) local demands, (ii) solid waste management, (iii) political consensus, (iv) ownership, (v) adaptation, and (vi) park-people conflict.

Table 4-1 below presents those six key issues, and also shows potential strategies to overcome these obstacles.

Overarching and Cross-Cutting Strategies

At least four general, overarching, and cross-cutting strategies should be employed to overcome these local social and institutional issues affecting participation and acceptance of the Project:

- 1. Needs Identification-** Identify the local needs and demands at the beginning of the Project.
- 2. Economic Benefits to Locals** - To promote ownership and adoption by the community, it is key for the community to receive economic benefits from the Project, including job opportunities. Though local groups know about the upcoming BRBIP Project via VDCs, meetings, etc., the local groups want to know what benefits they will receive from the project. The benefits could be: (i) economic-employment opportunities during project construction, (ii) conducting economic diversification programs for the rural villagers living in the park, and (iii) fulfilling their needs and demands – drinking water, toilets, health posts, etc.
- 3. Engagement of Local People** - For the success of the project local people should be engaged in multiple processes such as: (i) decision making process (e.g. like build, operate and transfer model), (ii) prioritizing local people for employment opportunities, and (iii) enhancing the capacity of local people with trainings on solid waste management, income generating activities, etc.
- 4. Promote Local Bodies** – The Project should promote the local bodies (tolsudharsamiti, mothers group, community forestry user group, etc), provide proper training, capacity enhancing programs, etc.

Six Social/Institutional Obstacles to Project Participation and Acceptance and Strategies to Overcome

The six specific issues and obstacles and potential strategies to overcome them are listed below:

1. Local Demands – There will be local demands for employment, economic benefits, security from the dam, deforestation, and environmental problems. For the Project to succeed it is important that priority is given to local people in jobs associated with the project (dam construction, monitoring, etc). A thorough needs assessment through interaction and discussion with all the concerned stakeholders will also help directly address those local demands. The Project also needs to keep in close contact with local leaders to increase the awareness among the concerned stakeholders regarding the safety of the dam. Much concern has been expressed over the proposed dam and reservoir. The local people want to know the consequences of a dam failure for people living downstream and they also want assurances regarding proper safety around the dam and reservoir so people won't fall in.

Planting trees and reducing the cutting of trees will also address local demands, as will specific environmental remediation measures.

2. Solid Waste Management – Issues with solid waste management can be addressed by: (i) meetings and capacity building of local groups (club, tolsudharsamiti, mothers group, schools,

colleges) to self-manage the activity, (ii) composting programs, and (iii) addressing the financial sustainability scheme of the Project. Also, locals have suggested the Project encourage local authorities and get communities involved to collect money from each house to pick up solid waste.

3. Lack of Political Consensus – Local groups are concerned that political processes will interfere with the award of economic benefits and positive impacts to the local populace. Therefore, a national level advocacy program might be needed to ensure that benefits do accrue to the local communities. Government policies should stress that ownership of the Project goes to locals. This should be GON policy.

4. Sense of Ownership – Developing a sense of ownership could best be accomplished by providing livelihood opportunities through income generating activities to local stakeholders (park villages, etc.).

5. Project Adaptation – The Project also needs to be flexible and adaptable to adapt to local communities' needs. This flexibility and adaptation should result in income generating activities for locals.

6. Park-People Conflict – There are some contentious issues between the Shivapuri National Park and the local people. Some of the locals claim that their local village activities are stymied or delayed by Park officials, and some Park officials say that locals often do not respect the rules in the National Park. To address these issues, the Project needs to stress interaction and negotiation between the Park and the People.

Table 4-1: **Obstacles/Problems Affecting Participation and Ownership and Strategies and Project Activities to Address Obstacles**

WHAT (Obstacles)	HOW TO OVERCOME (specific BRBIP project activities)	WHO IS RESPONSIBLE	WHEN (Timeline, which comes first, second, etc)
1. Local Demands for:	All Stakeholders Consensus	Local and Project	Immediate/as per need.
• Employment	Priorities to local people in jobs associated with the project (dam construction, monitoring, etc)	Project	Project construction
• Economic benefit (infrastructure-roads, toilets, health centers)	Needs assessment through interaction and discussion with all the concerned stakeholders	Project	Project pre-construction and construction
• Security from Dam (local people feeling secure after dam construction; fear)	Awareness (by local leaders, technicians)	Social leaders and technicians	From the beginning
• Deforestation	Planting trees/reduce cutting trees	Project	Project Construction
• Environmental problems from access road, dust, etc.	Specific interventions to minimize the problems	Project	Project Construction



WHAT (Obstacles)	HOW TO OVERCOME (specific BRBIP project activities)	WHO IS RESPONSIBLE	WHEN (Time-line, which comes first, second, etc)
2. Solid waste management (in settlement area from Sundarijal to Pashupati)	--Meetings and capacity building of local groups (club, tolsudharsamiti, mothers group, schools, colleges) to self-manage the activity --Composting program --Addressing financial sustainability scheme of the project	VDC and Project; local people need to be involved. Local CBO/NGO, private with help from project	Immediate and continuous
3. Political Consensus	National level advocacy. Evidence base policy advocacy through research.	All stakeholders (VDC, local leaders, project, line agencies)	Before start of project
4. Ownership	Providing livelihood opportunity through income generating activities to local stakeholders (park villages, etc)	User group, project, NGO	During implementation
5. Project Adaptation	Income generating activities, social entrepreneurship/marketing	Social leader/CSO/NGO	Beginning
6. Park-People Conflict	Interaction/Negotiation/Transformation of income generating skills	Locals/CSO/NGO, Govt/Project	Continuous, periodical