



**CASE STUDY**

# Nicaragua: Evaluation of the National Water Action Plan



## Summary

The management of water resources in Nicaragua has been fragmented among a number of State institutions, with unclear and overlapping mandates. The Nicaragua Environmental Action Plan identified the urgent need to rectify the weaknesses in the management of water resources through the preparation of an Action Plan which would address the challenges of integrated water management within the existing institutional, legislative, economic, political and technical framework of the country.

## Background

The management of water resources in Nicaragua has traditionally been very fragmented among a number of State institutions, with mandates often unclear and overlapping. The Nicaragua Environmental Action Plan (1994) identified the urgent need to rectify the weaknesses in the management of water resources through the preparation of an Action Plan which would address the challenges of integrated water management within the existing institutional, legislative, economic, political and technical framework of the country.

The immediate principal objectives of the project were to develop proposals for an overall sector strategy based on a clear policy and an acceptable and feasible institutional, legal and regulatory framework, and outline a programme for short- and longer-term actions in relation to water resources. The achievement of these objectives to be through the establishment of increased capacity for decision-making and management of water resources within participating institutions, enabling them to take the initiatives that they themselves perceived for future development. The project commenced in October 1995 with the initial objective of finalizing the Plan within 15 months. An

international consultant company was contracted to provide guidance to the project, while the involved institutions actively participated in the execution of the project activities and in the preparation of project reports.

Nicaragua does not have a Water Law as such, management of water resources being effected through existing sectorally-based legal instruments. These instruments, brought into force at different times and with different objectives, do not provide the necessary coherent legislation for integrated water resources management. The resource is primarily controlled from an institutional perspective, by means of the instruments contained in the different establishing and operational laws of the relevant public bodies. To this end, the instruments contained in existing legislation play an important role in the judicial system due to the absence of a Water Law.

Problems with programme slippage occurred frequently due, in part, to local misconceptions of the modality of the project execution and difficulties experienced in communication with key decision-makers. At the end of 29 months, the project issued its final reports, consisting of 13 volumes dealing with, inter alia, policy, legislation, institutional aspects, economic instruments, technical issues and the Action Plan recommendations themselves. Subsequent follow-up to these and the suggested actions to be taken has been minimal.

## **Actions taken**

Without doubt, one of the most significant initiatives that the Government of Nicaragua has taken towards the introduction of sustainable criteria in the use and management of natural resources has been that of the Environmental Action Plan of 1994. This Plan had as its central theme, the formulation of a policy and associated strategies for the rational development and management of water resources.

The project was conceived as one of training and transfer of technology, within which, and by means of short inputs of international experts, the Action Plan would be developed by staff of national institutions aided by local consultants. In this way it was hoped to strengthen the concept of local project "ownership". The team consisted of experts in the technical aspects of water resources, its institutions, water legislation, sociology and economics, backed up by local experts in similar fields. This concept was theoretically sound, but given the novelty of the project and its concepts, it would have been better to assume a greater expatriate participation at project commencement, gradually reducing this level as the project progressed in accordance with the transfer of technology achieved.

The project approach was based on the principles of integrated management of water resources in such a manner that a wide range of management tools were to be considered. In addition to basic technical solutions, other institutional, legal, sociological and economic components were identified as necessary to provide a sustainable solution to the problems encountered.

The concept of an Action Plan versus a Master Plan was a key element in the definition of the methodology of the project execution. As understood in the project, Master Plan provides a framework for water resources development, while an Action Plan contains specific actions to be taken to enable the elements of Master Plans to be effectively and sustainably executed.

## **Outcomes**

After 29 months, 13 documents in total were presented, covering the following topics which includes a proposal for a National Water Resources Policy, a Draft Water Law, a Rapid Water Resources

Assessment at national level, case studies of Rapid Water Resources Assessment at local level, an Institutional Assessment, Recommendations for the use of economic instruments, An information system for water resources, Sociological studies at local level and an Action Plan.

A key recommendation emerging from the project was the establishment of an independent and neutral water authority, recognizing the continuing contribution of the National Water Resources Commission, and the need to harmonize and put into operation its functions. The Draft Water Law addressed the need for establishing a system of water rights and licenses for water use, to be administered by the water authority.

There was a lack of the concept of local “ownership” of the project, which, at the same time, resulted in a lack of political will to implement the necessary changes. The fact that there has been little or no implementation of the Action Plan recommendations indicates the lack of ownership and driving force of the project at the national level.

The donor failed to follow-up the Action Plan after its conclusion, and this was a critical period in the establishment of the fundamental actions and in the maintenance of the interest of the participants. Since this follow-up was not forthcoming, staff returned to their institutions and the momentum of the project was lost. To carry out the recommendations of the Action Plan, Nicaragua must look to how to strengthen the institutional environment so there are fewer cases of institutional jealousy and a greater political will to carry out the proposed actions.

Nonetheless, given the nature of the project, the programme and the donor’s expectations could be considered as too ambitious. Projects of this type must recognise the need to overcome the strong resistance to change. These processes need time to come to fruition and it can often take years to achieve a suitable environment.

## **Lessons Learned**

Projects that address mechanisms of institutional change should be implemented only when the political will to make necessary changes has been clearly established

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Project of this nature require dynamism to flourish. Institutional anchorage should be within the confines of a neutral or non-user of water, ideally formed from the nucleus of any future water authority.

Donors should be prepared to follow up on projects of this nature and recognize the need for continued, (albeit reduced), external assistance

Donors should be prepared to adjust the modality of such change-oriented projects to reflect the need for flexibility and the recognition of the dynamics of the local situation.

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**Supporting Materials**

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**Related IWRM Tools**

Policies with Relation to Water Resources, Local Authorities, Monitoring and Evaluation Bodies, Training Water Professionals, The Rights of Rivers

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