

Introduction

The Republic of Kenya initiated key reforms in 1999 in its water sector governance. These reforms culminated with the release of the Water Act 2002, which has been amended to comply with the devolved system enshrined in the Constitution of Kenya 2010. The Water Act 2002 instituted a separation between Water Service Providers (WSPs) and Water Resource Users' Associations (WRUA). In compliance with the new legislation, Ngaciuma-Kinyaritha stakeholders created a WRUA in that catchment in 2006, amid many Community Water Management Systems (CWMSs). The latter are not legally recognised for managing water resources or for supplying water services. Should these CWMSs seek registration to qualify as WSPs? This is technically difficult for most "self-help" groups, and this study sought to assess the performance of the newly established key institutions among the CWMSs in Ngaciuma-Kinyaritha Catchment. To isolate the contribution of CWMSs to domestic water security a Performance Assessment and Evaluation (PAE) was conducted based on household survey data from 165 farmers and 36 in-depth interviews. The findings reveal that Kenya can be credited with having succeeded in initiating and implementing a participatory water governance system, despite various financial and investment challenges. Moreover, though not legally recognised, CWMSs have achieved almost a third of the targets of the water sector reforms in Ngaciuma-Kinyaritha Catchment, just like the registered WSPs and WRUAs. They need to be integrated into the new Water Act, which hopefully will be enacted in 2015. The latter has undergone a very long revision since 2012, owing to contention over the transfer of powers on water supply and water resources (Cap. 371 and 372) and other political interferences.

Purpose of the study

World water resources will be major casualties of global warming. Kundzewicz (2007) noted that, "There are three categories of water stress that would be exacerbated by climate change: (i) Too little; (ii) Too much; and (iii) Too dirty." Though Hulme et al. (2001) predicted increased precipitation in most Arid and Semi-Arid Lands (ASALs) of Kenya during dry periods, these and other humid areas will experience lower precipitation during almost the whole year. Therefore, visionary policies and legislation are needed to promote water security through local investment in water and land conservation (Huggins 2002). Community involvement in water resource management was the core objective of the water sector reforms initiated in Kenya in 1999. However, conservation of wetlands as a source of water and income generating activities there from emanating were not given prominence despite Kenya being a signatory of the Ramsar convention. These would have provided an incentive for sustainable local wetlands conservation and thus community water security (Macharia et al. 2010). To integrate local communities into such participatory water governance, the new Water Act (2002) instituted WRUAs in all the catchments amid many Water Service Providers (WSPs) by ignoring the traditional role of existing Community Water Management Systems (CWMSs) (Mathenge et al. 2014). Thenceforward, the Water Resource Management Authority (WRMA) could not integrate these CWMSs into its institutional framework in order to guide the development, supply, utilisation and conservation of

water resources at the local level. Should these CWMSs therefore seek registration to qualify as WSPs? In legal terms the answer is a simple “yes,” but registration is technically difficult for most “self-help” groups operating under customary law, which gave them all the mandates of the newly created WRUAs and WSPs. This study sought to uncover the implications of a ban on such traditional institutions on water security. A comparative assessment of the performance of CWMSs operating in Ngaciuma-Kinyaritha Catchment vis-à-vis the newly created WRUA and WSP was aimed at isolating their respective contributions to domestic water security in the Mount Kenya Region.