

Government of the People's Republic of Bangladesh
Office of the Refugee Relief and Repatriation Commissioner
Cox's Bazar
www.rrrc.gov.bd

No: 51.04.2200.006.06.003.25- **1280**

Date: **25** March 2025

Sub: **Approval to Policy on Privatized WASH facilities and private WASH infrastructures (Latrines and water points) in Rohingya camps**

Ref: Wash Sector, Cox's Bazar's memo no.- WS CXB/Policy-Privatization/2025

In reference to the above-mentioned subject and letter, this office is pleased to approve the below-mentioned recommendations on the privatization and private WASH infrastructures (Latrines and water points) in Rohingya FDMN camps:

Recommendation for WASH facilities built by NGOs for communal use:

1. Wash Communal infrastructures should remain communal and should not be privatized.
2. If privatization happens, WASH field actors will first try to engage with the community with the support of community leaders or SCCCM actors.
3. If field actors fail to find a solution, CiC will support and lead further discussions or CiC can engage law enforcing agency, especially if the community is significantly impacted and supportive.
4. Regardless of the circumstances, WASH field actors will not be responsible for the repair and maintenance of any privatized facilities.

Recommendations for Privately Built Latrine:

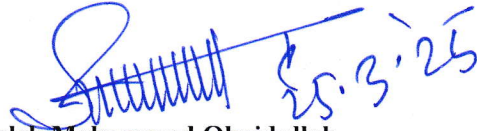
1. Latrines built by FDMNs at household level should not be authorized considering the strong impact on sanitation chain, environmental health and public health risk.
2. WASH agencies will conduct awareness sessions for FDMNs who have existing private latrines to explain the associated risks and encourage decommissioning.
3. WASH partners will monitor if such latrines are continuously being built. However, instead of denouncing (publicly blaming) the beneficiaries, WASH actors will focus on community engagement to address the issue collaboratively and discourage FDMNs from constructing their facilities.
4. Private latrines will not be repaired and maintained by WASH agencies.
5. WASH sector does not prefer to promote safe household latrine design in respect of government policy but will focus on communal latrines.
6. In some exceptional cases (e.g.: person with disabilities) access to private latrine can be tolerated especially if built and maintained by WASH actors.

Recommendations for Private Water Points (Shallow tubewell installed by beneficiary, Illegal pipe connection from taps, Hidden Pipe connection):

1. WASH agencies will focus on supplying safe water through designated points within the camp, ensuring free and equitable access for all camp residents.
2. WASH agencies will not be responsible for providing materials as well as installation, operation, or maintenance (O&M) support for privately built or unauthorized water sources.
3. To ensure equitable water distribution and prevent system strain, it should be a Zero-tolerance policy for unauthorized connections to tap stands and installation of private water points as well as shallow tube well.
4. Collaboration with other sectors and community engagement should be strengthened at all stages to discourage the establishment of unauthorized water facilities of any kind that's include private distributor or business inside the camp, hidden pipeline connection.

5. The installation of private shallow tube wells and household-level tube wells within the camp should be prohibited.
6. Agencies should place clear visible signs (refer to Figure: Not for Drinking) at existing shallow tube well sites.

Thank you for your continuous support and cooperation.



Abu Saleh Mohammad Obaidullah
(Joint Secretary)

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Cox's Bazar.

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Mr. Julien Gravelau

Wash Sector Coordinator
ISCG, Cox's Bazar.

Copy for kind information:

1. **Additional Refugee Relief & Repatriation Commissioner**, this office.
2. **Camp-in-Charge (all)**, Ukhiya/Teknaf, Cox's Bazar.
3. **PS to RRRRC** (For kind attention of RRRRC).
4. Office Copy.

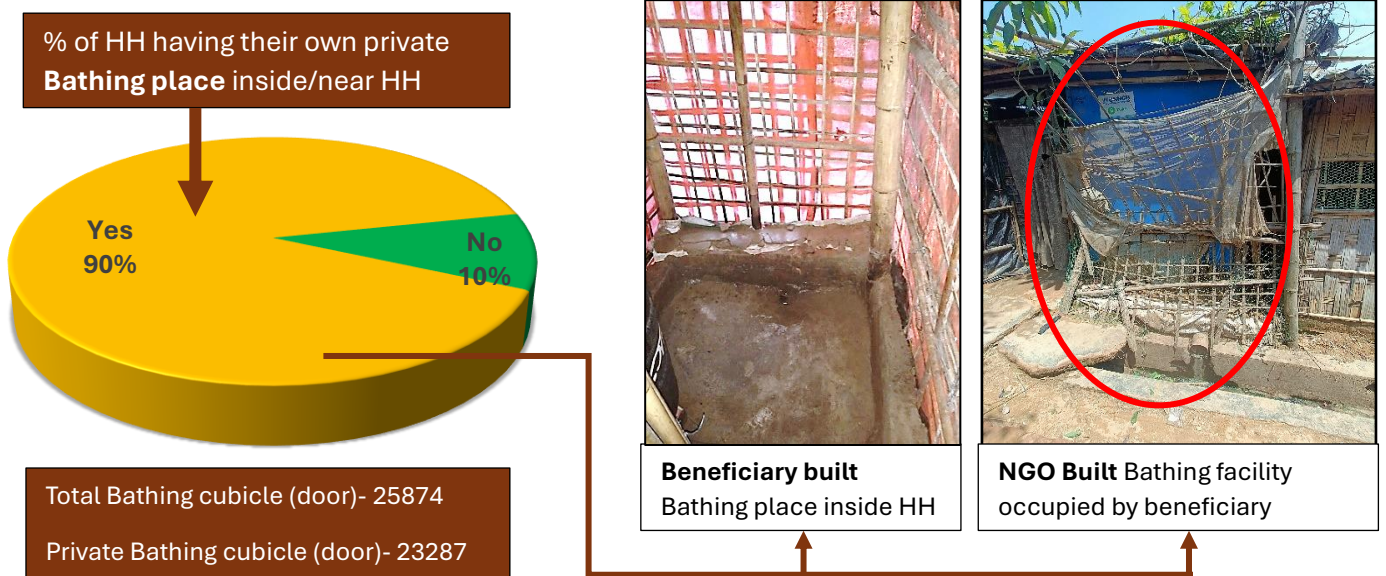
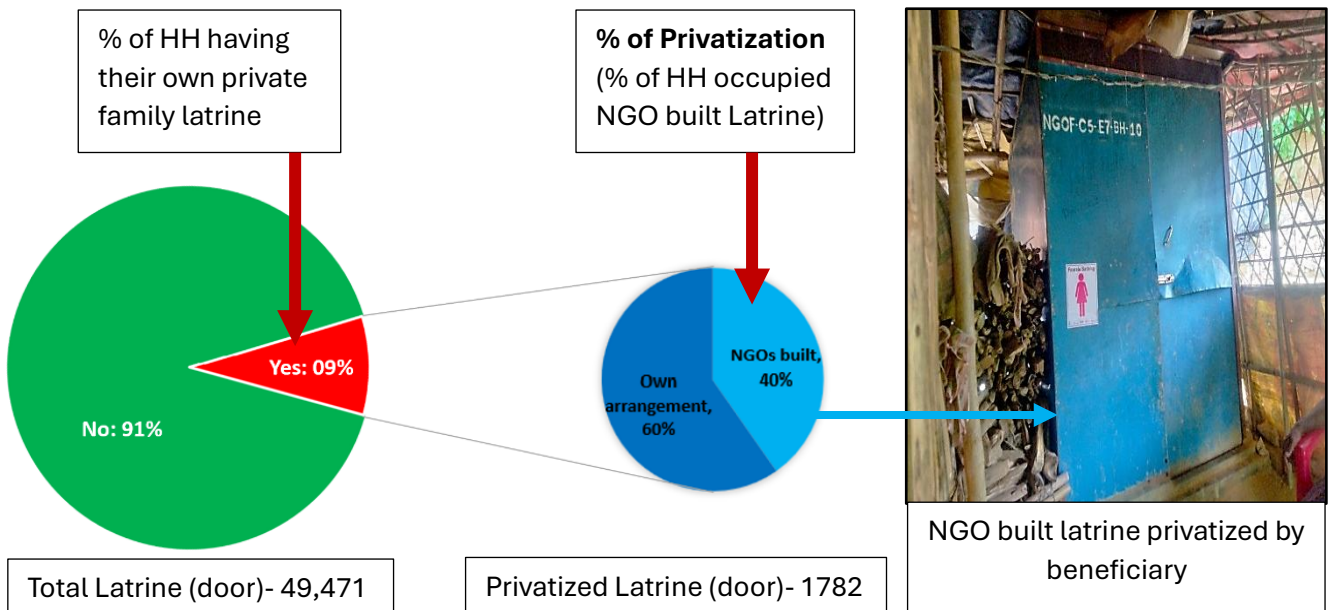


Privatized WASH facilities build by NGOs for communal use

WASH sector has been involved in an intensive consultation with WASH actors, government representatives and Rohingya communities since late 2023 to understand why public WASH infrastructures (mostly communal latrines, bathing cubicles and water points) built by NGOs/UN have been privatized/ occupied by some beneficiaries for household use only.

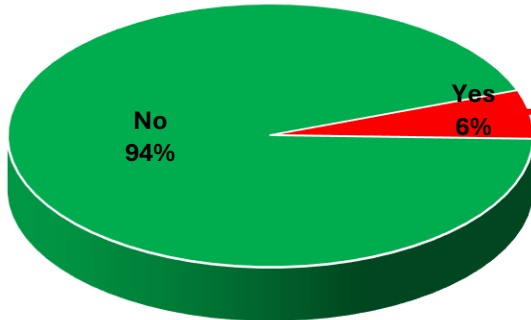
Analysis and Glimpse of privatized WASH Infrastructure in the Camps

Source of Analysis: ISNA 2024





% of HH having their own/private Tubewell



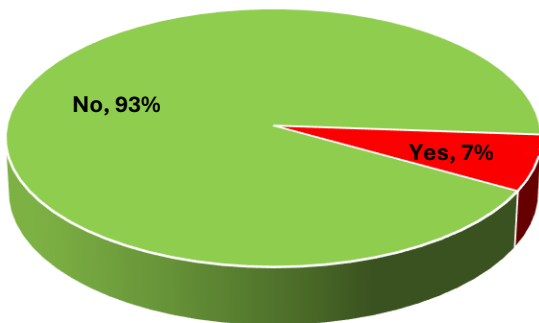
Total Tubewell built or privatized by beneficiary- 938 nos.



Beneficiary fenced/ privatized NGO built communal Tubewell for personal use

Total Tubewell- 15625 nos.

% of HH having their own/private piped-



Total Taps illegally/ forcefully occupied or rented by beneficiary-1107



Beneficiary occupied communal tap stand for personal use

Total Tap Stand (NGO Built)- 5936 nos.

Total Tap- 15,808 (approximate)



Consequences/ Challenges

The consultations revealed several significant challenges and potential consequences associated with the privatization of WASH infrastructure:

- **Inequity in terms of access:** WASH agencies plan for coverage following the sector standard. Privatization may lead to unequal access to essential WASH services among certain community members, leaving others with inadequate access. This inequity could worsen social tensions.
- **Impact in Quality and Public Health:** Privatized facilities may not adhere to the necessary standards (maintenance, desludging, water quality, etc...) that NGOs and UN agencies typically uphold. This could potentially increasing health risks of water-borne diseases within the camps.
- **Power exercise/ misuse:** Privatization may allow certain individuals or groups to exert undue power over communal resources. This could manifest in the form of favouritism, exploitation, or even misuse of the infrastructure for personal gain, undermining the collective well-being of the community.
- **Responsibility:** WASH agencies are not in charge of O&M of privatised infrastructures (e.g.: WASH will not dislodge privatised latrines)

Recommendations

WASH sector organized a Technical Consultation Group meeting in June 2024 with partners. In this meeting, WASH actors discussed current scenario, challenges and way forwards on “Privatization issues” in Rohingya camps. More discussions took place with DPHE, RRRRC and SAG members of the WASH sector.

The following recommendations were agreed:

1. WASH Communal infrastructures should remain communal and should not be privatized.
2. If privatization happens, WASH field actors will first try to engage with the community with the support of community leaders or SCCCCM actors.
3. If field actors fail to find a solution, CIC will support and lead further discussions or CiC can engage law enforcing agency, especially if the community is significantly impacted and supportive.
4. Regardless of the circumstances, WASH field actors will not be responsible for repair and maintenance of any privatized facilities.



Responsibilities

1. WASH Actors:

- ✓ WASH actors will try to provide adequate communal facility to avoid privatization.
- ✓ If privatization occurs, WASH field actors will attempt to recover the facility with the support of community leaders or SCCCM actors and report it to the respective CIC, Area Focal Agency (AFA), and CFP.
- ✓ WASH field actors are not responsible for the maintenance or repair of privatized facilities.
- ✓ WASH actors will support to resolve conflicts before escalating them to the CIC or law enforcement.
- ✓ WASH actors will engage with beneficiaries to identify mutually acceptable solutions, ensuring equitable access to the facilities.
- ✓ WASH actors will facilitate multi-stakeholder discussions and provide technical support where required.

2. Camp-In-Charge (CIC):

- ✓ If WASH field actors are unable to resolve the issue, the CIC will support and lead further discussions.
- ✓ The CIC may involve law enforcement agencies if the community is significantly impacted and supportive of restoring privatized facilities to communal access.

3. Community Leaders:

- ✓ Community leaders will raise awareness among community members about the consequences of privatizing NGO-built communal WASH facilities.
- ✓ They will discourage privatization of facilities.
- ✓ They will report any cases of privatization to WASH actors, CFP, or the CIC.
- ✓ They will participate in discussions to find solutions when conflicts arise.

** Privatized WASH facilities refer to WASH facilities (Latrine, Bathing, tubewell, tap-stand) that have been built by NGOs for communal use but are occupied by beneficiaries for personal use.*

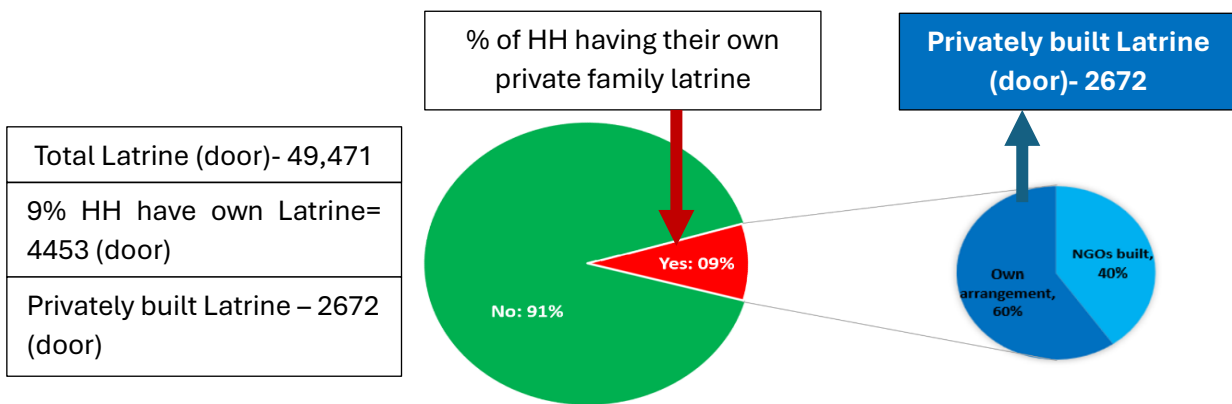


Private WASH Infrastructure (Latrines and Water Points) built by FDMNs for personal use

WASH sector has been involved in an intensive consultation with WASH actors, Area Focal Agencies (AFA), Strategic Advisory Group (SAG) members, government representatives, and Rohingya communities since 2023 to understand the cause and motivation of beneficiaries for building or arranging their own WASH facilities (Latrine, Bathing, Tubewell, Rented water) despite of providing WASH services by NGOs/UN. The summary of the findings is expressed below:

Part-A: Analysis from Assessments on Latrines built by beneficiaries

Source of Analysis: ISNA 2024



Glimpse of private Latrines in the Camps





Consequences/ Challenges regarding Private Latrine

The consultations highlighted several significant challenges and potential consequences associated with the private latrines in the camps:

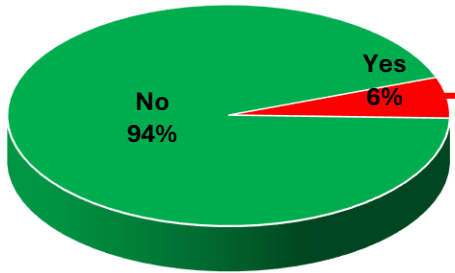
- **Interrupted Safe Fecal Sludge Management System:** When FDMNs built their own latrines, safe excreta disposal is not properly managed, latrines are not dislodged and may overflow, sludge is disposed in the drain by the users, faecal matters contaminate both household and camps.
- **Difficulties in O&M:** Private latrines are built without following any official guidance (e.g: deepness, security, distance from existing water points). They use random material and latrines are not always accessible or recorded. For all those reasons, O&M cannot carry out by WASH agencies. Moreover, WASH sector does not have the capacity to maintain one latrine per household.
- **Negative health and environmental effect:** Outlets of private latrines are directly connected to the open drain. Sometimes, owners manually desludge directly in drains (especially during the rainy season) or water bodies. It is causing contamination of the environment and lack of willingness to clean the drains. It also leads to public health risks.
- **Responsibilities of WASH agencies:** WASH agencies do not have the capacity to maintain one latrine per household as it requires additional budget, manpower and equipment. Moreover, WASH agencies are managing over 49000 communal latrines, that have been built in the camps (representing 19 users per functional latrine on average)
- **Adverse effects:** Private latrines are often built with material stolen in the camps (such as bamboo, concrete ring, sanitation pan, brick or even waste bins...) is a common problem in the camps.
- **Illegal extension of shelter:** The designated shelter area is not planned for in-house latrine. FDMNs try to extend their shelter area for the construction of private latrine which disrupts site planning effort for equity and pathways.



Part-B: Analysis from Assessments on Private water points built or managed by beneficiaries

Source of Analysis: ISNA 2024

% of HH having their own/private Tubewell



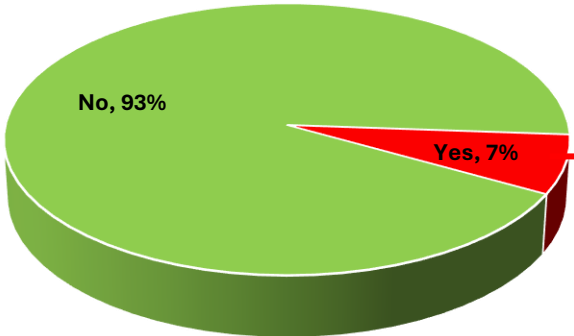
Total Tubewell built or privatized by beneficiary- 938 nos.



Beneficiary installing own shallow Tubewell inside HH

Total Tubewell- 15625 nos.

% of HH having their own/private piped-water



Total Taps illegally/ forcefully occupied or rented by beneficiary- 1107



Rented water supply

Total Tap Stand (NGO Built)- 5936 nos.
Total Tap- 15,808 (approximate)



Hidden pipe connection



Consequences/ Challenges regarding Private Water Point (Tubewell installed by beneficiary, Illegal Pipe Connection from taps, Hidden Pipe Connection)

- **Materials gets missing:** The theft of tubewell/ handpump parts like heads, and taps from tap-stand has become a growing concern in the Rohingya camps. In many camps it has been noticed that the stolen tubewell heads are being used to repair the privately built tubewells. It not only interrupts daily water needs but also increasing replacement costs, disrupting access to safe water for the community and exposing water points & ground water to contamination due to uncovered openings.
- **O&M Responsibility:** Repair and maintenance of Private water points are not within the responsibility of WASH agencies. Moreover, Water strategy refers that, non-functional shallow tube wells will be decommissioned and sealed according to environmental safety standards to prevent contamination and other hazards.
- **Water Quality & Health risk:** Most of the tubewells are shallow and doesn't being installed maintaining safe distance from latrine pits. Moreover, privately managed water points are not supplying chlorinated water, not tested and monitored by WASH Partners, increasing the risk of contaminated water consumption. This is especially concerning in densely populated camp areas where waterborne diseases like AWD, Cholera, Typhoid, etc. can spread rapidly.
- **Improper Drainage Systems:** In the most cases there are no drainage, even no platform constructed for private tubewell which leads to stagnant water, slippery area and pose risk to health, hygiene and environment.
- **Long-Term Implications:** Hidden water connection interrupts the water flow in whole pipeline and damage in the pipeline. Moreover, Private Water Points are not informed and recorded. So, it is hampering the water level monitoring process. Over-extraction of groundwater and unregulated development affect water sustainability.

Recommendations

WASH sector organized a Technical Consultation Group meeting in June 2024 with partners. In this meeting, WASH actors discussed current scenario, challenges and way forwards on “Privately build WASH facility” issues in Rohingya camps. More discussions took place with DPHE, RRRC and SAG members of the WASH sector. From those meetings, the below recommendations have been made-



Recommendations for Privately built Latrine

1. Latrines built by FDMNs at household level should not be authorized considering the strong impact on sanitation chain, environmental health and public health risk,
2. WASH agencies will conduct awareness sessions for FDMNs who have existing private latrines to explain the associated risks and encourage decommissioning.
3. WASH partners will monitor if such latrines are continuously being built. However, instead of denouncing (publicly blaming) the beneficiaries, WASH actors will focus on community engagement to address the issue in a collaborative way and discourage FDMNs from constructing their own facilities.
4. Private latrine will not be repaired and maintained by WASH agencies.
5. WASH sector does not prefer to promote safe household latrine design in respect of government policy but will focus on communal latrines.
6. In some exceptional cases (e.g: Person with disabilities) access to private latrine can be tolerated especially if built and maintain by WASH actors.

Recommendations for Private Water Points

(Shallow tubewell installed by beneficiary, Illegal Pipe Connection from taps, Hidden Pipe Connection)

1. WASH agencies will focus on supplying safe water through designated points within the camp, ensuring free and equitable access for all camp residents.
2. WASH agencies will not be responsible for providing materials as well as installation, operation, or maintenance (O&M) support for privately built or unauthorized water sources.
3. To ensures equitable water distribution and prevent system strain, it should be a Zero-tolerance policy for unauthorized connections to tap stands and installation of private water points, as well as shallow tube well.
4. Collaboration with other sectors and community engagement should be strengthened at all stages to discourage the establishment of unauthorized water facilities of any kind that's include private distributor or business inside the camp, hidden pipeline connection.
5. The installation of private shallow tube wells and household-level tube wells within the camp should be prohibited.
6. Agencies should be placed clear visible signs (refer to the Figure: Not for Drinking) at existing shallow tube well sites.



Figure: Not For Drinking



Responsibilities

1. WASH Actors:

- ✓ **Ensure Availability and Functionality:** WASH field actors will ensure that well-maintained communal facilities are available to discourage the community from constructing their own latrines and water points.
- ✓ **Support in Exceptional Cases:** WASH actors will provide appropriate support in exceptional cases, such as constructing disability-friendly latrines or ensuring meaningful access to existing latrines and ensuring safe water supply for persons with disabilities.
- ✓ **Monitoring:** WASH partners will monitor whether private latrines and water points continue to be built or rented.
- ✓ **Community Engagement & Awareness:** Rather than publicly blaming FDMNs with existing private facilities, WASH actors will engage with them collaboratively, raise awareness about the associated risks, discourage further construction, and encourage decommissioning or disengagement.
- ✓ **Operation and Maintenance:** WASH agencies will not repair or maintain private latrines and water points, nor will they provide any materials for their installation or operation. Desludging services will also not be provided.

2. Camp Focal Point (CFP):

- ✓ **Visibility:** CFP will ensure the clear visibility of signs (refer to the above-mentioned Figure: Not for Drinking) at existing shallow tube well sites, with support from WASH partners.
- ✓ **Coordination:** CFP will coordinate and collaborate with the CIC, AFA, WASH partners, community leaders, and other relevant actors to ensure effective policy enforcement and discourage the establishment of unauthorized water facilities, private distributors, or business operations inside the camp, as well as hidden pipeline connections.
- ✓ **Community Engagement & Conflict Resolution:** CFP will support WASH field actors in community consultations and conflict resolution.
- ✓ **Multi-Stakeholder Coordination:** CFP will facilitate multi-stakeholder discussions and, if necessary, provide technical support to integrate site planning, shelter design, and health safety measures.

3. Camp-In-Charge (CIC):

- ✓ **Compliance:** In line with government policy, the CIC will not authorize the construction of household-level latrines by FDMNs, emphasizing the need for communal sanitation facilities instead.
- ✓ **Regulation:** CIC will enforce strict restrictions on unauthorized connections to tap stands, the installation of private latrines and water points, and the construction of household-level shallow tube wells within the camp.
- ✓ **Leadership in Dispute Resolution:** If WASH field actors are unable to resolve conflicts, CIC will support and lead further discussions.

**Private water source- This refers to a tube well installed by a beneficiary or an illegal pipe connection from taps or pipelines.*

** Shallow tubewell- A shallow tube well is defined as a well with a depth of less than 50 meters.*