

## A Human Rights Based Approach to Water and Sanitation - Summary

The right to safe and clean drinking water and sanitation was explicitly recognised as a human right by the UN General Assembly in 2010. This means that the state is obliged to undertake whatever is necessary and within its power to gradually realise the right to water and sanitation for all, with the highest priority for those who have insufficient/no access. The right to water and sanitation has been defined in five performance pillars. The pillars are based on non-discrimination values (accessibility, acceptability and affordability for all) and accountability of the government to make available sufficient quality and quantity.

A human rights based approach to water and sanitation takes a starting point in **international human rights commitments and standards**. Key questions when assessing and monitoring a health initiative are:

- Is there a national public strategy/ plan based on internationally recognised standards for water and sanitation, which can guide donor contributions?
- How does the initiative ensure/contribute to **Availability** - A sufficient quantity of water for personal and domestic uses must be available. Sanitation facilities must also be available.
- How does the initiative ensure/contribute to **Accessibility** - Water and sanitation services must be accessible to everyone in the household or its vicinity on a continuous basis. Facilities and must be within reach also for children, elderly and persons with disabilities.
- How does the initiative ensure/contribute to **Affordability** - Access to sanitation and water must be affordable to all, particularly for disadvantaged persons and groups.
- How does the initiative ensure/contribute to **Acceptability** - Sanitation facilities, in particular, have to be culturally acceptable. This will often require gender-specific facilities, constructed in a way that ensures privacy and dignity.
- How does the initiative ensure/contribute to **Quality** - Water has to be safe for consumption and other uses. Sanitation facilities must be hygienic, technically and environmentally safe to use.

An important element in a human rights based approach is the focus on **empowerment and capacity development** of both rights holders and duty bearers. Key issues to consider are:

- Does the intervention build capacity of the authorities and investors to plan, deliver and monitor services as stipulated?
  - Does the intervention build capacity of the poorer households and marginalised groups so that they know how, where and when they can demand/ complain concerning their rights to water and sanitation?
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A human rights based approach also relates to the process – HOW development programs apply the human rights principles; non-discrimination, participation, accountability and transparency. When assessing and monitoring water and sanitation programs, the following could be guiding questions:

<p><b>Non-discrimination</b></p> <ul style="list-style-type: none"> <li>• Is there an explicit focus on regions or groups that have insufficient or no supply systems at all (informal settlements, rural regions)?</li> <li>• Is there a pro-poor design of tariffs e.g. subsidies to connection fees and tariffs progressively related to level of consumption?</li> <li>• Are there disaggregated data to monitor access to water and sanitation for various groups and regions (especially vulnerable and marginalised)?</li> <li>• Are there indicators that monitor consequences for women and girls?</li> </ul>	<p><b>Participation</b></p> <ul style="list-style-type: none"> <li>• Are deliberate measures taken to make information and consultations accessible to various stakeholders?</li> <li>• Are the views of women, children, elderly, persons with disabilities and minorities specifically probed and considered?</li> <li>• Is there sufficient time for consultations?</li> <li>• Do CSOs have capacity to monitor water and sanitation initiatives?</li> </ul>
<p><b>Transparency</b></p> <ul style="list-style-type: none"> <li>• Is information on water/sanitation policies and plans communicated openly and in accessible formats/channels?</li> <li>• Are contracts with investors made public in terms of their commitments towards the population (water and sanitation rights)?</li> <li>• Are regional and bilateral agreements on joint water resources fair, known to the population and monitored for compliance?</li> </ul>	<p><b>Accountability</b></p> <ul style="list-style-type: none"> <li>• Does the state “walk the talk”: does it deliver against plans and honor its obligation to respect, protect, and fulfil the right to water and sanitation?</li> <li>• Is there a transparent legal and policy framework that defines accountability mechanisms?</li> <li>• Do citizens and community groups have sufficient knowledge and capacity to effectively use formal accountability mechanisms?</li> <li>• Has the state capacity to regulate and monitor human rights outcomes when contracting private service providers?</li> <li>• Are there independent regulation, complaints mechanisms and civil society monitoring?</li> </ul>

To learn more on HRBA and water/sanitation, read the full thematic area brief.