

# Assessing progress in achieving equitable access to water and sanitation

## Pilot project in Portugal

### Country Report

<i>Page</i>	<i>Content</i>
1	1. Situational Analysis
1	I – Country profile
2	II – Actions taken
2	II.1 Steering governance frameworks to deliver equitable access to water and sanitation
4	II.2 Reducing geographical disparities
6	II.3 Ensuring access for vulnerable and marginalized groups
8	II.4 Keeping water and sanitation affordable for all
10	III – Critical assessment of the scorecard and propositions for improving it
11	2. Workshop discussion, critical assessment of the process and recommendations for the follow up of the country process
	Annex: Score card: Actions taken in Portugal

This document does not reflect any opinion or position of UNECE. It has been prepared by the Portuguese pilot project team.

## **1. Situational Analysis**

### **Tool for monitoring progress in achieving equitable access to water and sanitation in the pan-European region**

#### **Pilot exercise: Portugal**

The situational analysis is aimed to provide a self-assessment structured according to the draft scorecard. The analysis also includes a critical assessment of the draft scorecard (usefulness, ease-of-use) as well as suggestions for improving the scorecard (such as adding or eliminating parts).

#### **Self-assessment of access to water and sanitation in Portugal**

In Portugal, the access to water and sanitation is considered universal since the population has access to either public or private solutions. These private solutions have, however, some problems especially related with the lack of monitoring of water quality and of rejected wastewater. The areas supplied with public services have generically a good coverage of service, excellent drinking water quality and a solid quality of service. However, access by vulnerable and marginalized groups should deserve additional specific protection measures through an effective positive discrimination policy.

Through this exercise, one of the main aspects that have been identified as a priority for improvement was the need for better collection of sound and audited information regarding access to these services by these vulnerable and marginalized groups. Also, there should be an improvement in the collection of available information at national level regarding investments and financing to address access to water and sanitation policies.

The fact that these services are a municipal responsibility makes the aggregation of information more difficult, which then translates in a more complex formulation of national policies. This relates also to the existence of several tariff policies at the municipal level which paves the ground for the existence of very heterogeneous tariff structures and values, with different impacts in terms of affordability by end-users. Whereas at national level the water and sanitation services are, on average, affordable, some specific local affordability issues may subsist for the lowest income households. To address this problem, several national policies for tariffs and in social security mechanisms have been created, which depend however on municipal level decisions.

#### **I. Country profile**

Portugal is a unitary state with two autonomous regions, the islands of Madeira and Azores in the Atlantic Ocean. This exercise will focus only on mainland Portugal. According to the last national population census, Portugal has 10 047 621 inhabitants in 89 089 Km<sup>2</sup> and an average 16194 €/per capita.

There are no official figures concerning population living in urban/peri-urban and rural areas. Assigning population to any such category has proved to be a difficult task. For the purposes of this exercise, 47,5% of the population was considered as living in urban areas, i.e., places above 5000 inhabitants, and 39% as living in rural areas, i.e., places with less than 2000 inhabitants.

Concerning access to water and sanitation, Portugal has achieved some important mile steps in recent years. In 2011, about 5% of the population had no access to public drinking water supply,

down from 9% in 2006. About 19% still had no access to wastewater collection and 22% had no access to an adequate wastewater treatment, down from 23% and 28%, respectively<sup>1</sup>.

The country has signed and/or ratified almost all of the legal instruments that encompass direct or indirect obligations on water and sanitation, with the exception of the ILO Convention on Occupational Health Services and the ILO Convention on Indigenous and Tribal Peoples.

## **II. Actions taken**

### **II.1 Steering governance frameworks to deliver equitable access to water and sanitation**

#### *II.1.1 Strategic framework for achieving equitable access*

The strategic plan for the water and sanitation sector (“Plano Estratégico de Abastecimento de Água e de Saneamento de Águas Residuais” - PEAASAR) was defined by the government and aimed to establish a set of targets to achieve in a given timeframe with the joint contribution of all the authorities involved on water and wastewater services provision. Starting from a base line situation analysis, the strategic plan defined the strategic objectives and some operational ones, the investments to be made, the management models that could be used to provide the services, the environmental values to achieve, the financing models and tariff policies, the private sector participation, the regulatory model and the legal framework.

The established targets have set a standard for all the stakeholders to aim for, which has helped them focus on the most priority actions. Targets for accessibility of the service allowed for a faster progression towards achieving the results:

- Target for water supply service: 95% of the population served with safe drinking water services  
This target has been achieved since 2009 and the safe drinking water level is currently around 98% (drinking water complying with EU standards).
- Target for wastewater service: 90% of the population served with adequate treatment of wastewater  
Sanitation services have a coverage level of 81% regarding drainage and 78% regarding proper treatment so there is still a significant effort to be made in order to achieve the 90% coverage target. These values consider only public systems and do not take into account the private solutions for treatment, existing especially in rural areas.

Other important principles on equitable access were also defined in the strategic plan (for example, regarding affordability of the services, efficiency, quality of service, among others).

Additionally, some equitable access targets should be defined to ensure, for example, that vulnerable and marginalized groups are positively discriminated in accessing water and sanitation services.

---

<sup>1</sup> Data for 2006 includes Azores and Madeira. There is an interruption in the series between 2006 and 2011. The concept of “access” (used in “access to safe drinking water”, “access to wastewater drainage” or “access to wastewater treatment”) refers to the percentage of population for whom water and sanitation public services are available. It does not reflect the practical connection to the services. The definition of “adequate treatment” implies that the treatment level must be equal to the treatment level defined in the discharge license. This means that if the license provides for a tertiary treatment level and the actual treatment only allows for a secondary treatment this area is considered as not having “adequate treatment”.

The monitoring of these targets has been made in an annual basis. Every year ERSAR publishes the annual sector report on water and waste services (RASARP) which monitors the country's evolution in terms of service provision, quality of service provided, tariffs and water quality for human consumption. These reports have detailed information on services provision and enable the progress assessment of service provision. A more detailed assessment of the evolution of equitable access to water and sanitation is, however, still lacking, especially on aspects related to the access by vulnerable and marginalized groups.

### *II.1.2 Sector financial policies*

The strategic plan establishes as one of the main principles to have into consideration the principle of cost recovery, together with the one of affordability of services by end-users. This means that the funding of the services should be made primarily through tariffs charged to end-users as a way of enabling the long term sustainability of the service. However, for specific equitable access purposes (for example, access to vulnerable and marginalised groups) there is no specific guidance on how to obtain the necessary funding.

The investments that are needed in order to provide universal, adequate and good quality services have been identified in the strategic plan. However, due to the existence of several operators (around 400), with several business areas (including water services) and, sometimes, poor accountancy practices makes it difficult to keep track of the financial resources that are being invested in these services, so a great effort should be done to improve services accountancy practices.

The criteria for foreign institutions funding eligibility (EU funding and European Investment Bank funding) include as some of the most important the services' sustainability and affordability by users.

### *II.1.3 Rights and duties of users and other right holders*

Information on the rights and duties of the service users is widely available on institutional websites, leaflets, publications, and consumer service centres as well as on the existing legislation. It is observable a growing trend of production of these contents in order to promote quality in consumer services side. However, there is a need to have concerted actions in order to promote the dissemination of information in a simple language and easily understandable by the consumers.

The great majority of the service providers operate at municipal level and there are municipal councils which allow for the participation of every citizen and where these questions can be raised. Also, citizens can send written information requesting more quality of service in terms of access, affordability, efficiency, among other.

The consumer law allows for every user to place a complaint to the operator that will then be addressed to the regulator for analysis. ERSAR then hears both parts (the operator and the user) and issues a recommendation on how the complaint should be treated by the operator. This recommendation, however, is not binding and if any of the parts disagree they should resort to arbitration by judicial institutions. In 2010, ERSAR received and addressed 4200 complaints. In 43% of the complaints, ERSAR ruled in favour of the user and in 44% in favour of the operator. The remaining ones were considered unintelligible or the analysis proved inconclusive.

Alternatively, at local level there are centres for consumer support that have the responsibility to help consumers clarify and obtain a response to their queries or complaints.

Other institutions such as the Ombudsman can also intervene in the complaint handling on issues related to water and sanitation services (40 in 2011), on issues related to the right to a healthy and ecologically balanced environment (27 in 2012).

Transparency of information is one of the most effective mechanisms for accountability. The information on service provision for every operator is available at the annual reports published by ERSAR as well as at ERSAR's website. This information is used by ERSAR to compare operators' performance and to allow for a public scrutiny of each operator. Operators also have duties in the publication of information regarding service regulations, tariffs, water quality and accounts, among others. Nevertheless, other accountability mechanisms such as the reinforcement of the possibility by the regulator of imposing penalties to poorly performing operators could bring a more powerful accountability mechanism.

Also, additional to these accountability mechanisms which are in place for operators, the creation of other accountability mechanisms more directed to the national official institutions would be seen as a step ahead in empowering right-holders, by creating more pressure on the institutions' side.

#### *II.1.4 Incentive framework for water and sanitation service providers*

Service contracts have targets for physical access by the populations and, therefore, the level of investment required to serve those areas and the timeline to do those investments. These targets are usually defined as a percentage of a population in a given area. These areas are defined at a level which is lower than the municipality.

The connection fees were, in some cases, an obstacle to the connection of newly served areas to the public networks, due to its high cost. Due to the already significant universalization of these services in the majority of the municipalities, ERSAR has recommended abolishing connection costs, by compensating in terms of revenues through a general increase in the monthly tariffs. This measure would benefit the unconnected population by not having a cost of connection.

Also, the fact that the services are widely universal, especially in urban areas, demonstrates that there is currently no discrimination towards poorer areas. The disparities in terms of service provision are much more related to the fact that the service provision in rural areas poses bigger sustainability issues than the one provided to urban areas given the fact that the per capita investment is much higher in rural areas.

If the conditions of the dwellings are similar, there is also no difference in the level of service provided. However, an empirical analysis allows us to understand that vulnerable and marginalized groups do not have, in many cases, the same conditions in terms of housing or standards of living and therefore the possible disparities in terms of the level of service derive from the fact that there is no positive discrimination on service provision to these groups.

Regarding affordability concerns and possible obstacles on access to water and sanitation by the poorest households, ERSAR evaluates quality of service through a set of indicators, among which there is an affordability indicator. Therefore, every operator has an evaluation depending on the affordability level of its tariffs. Also, ERSAR has issued a set of recommendations which aim to define a tariff structure which addresses possible affordability issues by having lower tariffs that are applicable to poorer households.

## **II.2 Reducing geographical disparities**

As seen before, the targets set in the national strategy for access to drinking water supply have been met in 2009 but the country is still lagging behind in what concerns wastewater drainage and treatment. Furthermore, there are important differences between urban and rural areas: 99% of the population had access to public water supply and 95% to wastewater service in urban areas, whereas in rural areas the figures are 90% and 69% respectively.

### *II.2.1 Public policies to reduce access disparities between geographical areas*

One of the main objectives of the strategic plan is the universalization of service provision. However, this universalization must consider the cost effectiveness of investments. Whereas in urban (and more densely populated) municipalities the investments can be recovered in a short period, in rural areas there should be a thorough analysis of the best solutions to provide these services, especially to isolated populations. In fact, in many of these cases it is not feasible to have a big investment to bring public services to these populations and a local solution may be required. In any case, the targets established at the strategic plan have this into consideration and that is why universal coverage considers that 5% of the population should be served by local water supply solutions and 10% of the population should be served by local wastewater treatment solutions.

Regarding informal settlements and slums, the strategic plan does not have dispositions about service provision to these areas and there is no available data about informal settlements and slums at a national level. However, usually these services are provided at municipal level and at that level there is sometimes a policy for an integrated social approach, which includes housing, welfare, an appropriate standard of living, essential services (including water services). This issue will be addressed in II.3.

There is no national policy to support the implementation of appropriate technical solutions for service delivery in rural, informal settlements and slums or self-provision of services by households in areas where there is no service provider, although at local level some policies exist.

#### *II.2.2 Public policies to reduce price disparities between geographical areas*

ERSAR collects information related to prices of water supply and sanitation services annually and compares those prices with each other, publicising this information on ERSAR's website so that every stakeholder can have access to this information. Since 2011, ERSAR also collects information about costs of each of the more than 300 operators as part of the economic regulation cycle and integrated as an indicator to evaluate quality of service. This cycle also includes an affordability indicator. Furthermore, ERSAR has issued in 2009 and 2010 two recommendations that aim to provide reference tariff structures and to harmonise the disparities in prices throughout the country. Since then, the operators have tried to adopt those recommendations by adapting their tariffs to the recommended structure and values.

Concerning public subsidies, the tenders for applications have some criteria for evaluation which include the expected increase in efficiency, the additional population served, the environmental outcomes, impact on the expected tariff in terms of affordability, among others. Finally, the sector is organized in a way that allows for the same operator to serve several municipalities enabling not only scale economies but also the cross-subsidisation between areas with lower costs to areas with higher costs. This is especially true for the bulk services, although there is a growing trend for aggregation in retail services.

#### *II.2.3 Geographical allocation of external support for the sector*

Portugal benefits from European Union funding through the Cohesion Fund and the European Regional Development Fund. The criteria for access to these services discriminates positively the poorest areas (which usually are coincident with the regions that are lagging behind in terms of access to services). The national framework for EU funding (QREN) also gives priority to funding of lower scale solutions. This is, however, a general disposition for these funds, since they cover several sectors of the economy. There is no other source of international financial support directed to these services. In the definition of the strategic plan (PEAASAR) and in the creation of multi-municipal companies there have been intents to address the accessibility problems found in previous versions of the plan.

### **II.3 Ensuring access for vulnerable and marginalized groups**

In Portugal, the concept of vulnerable and marginalized groups is not used in the water sector, but in the field of social policy the Portuguese Social Security Services use two criteria to characterize these groups:

- Economic need (due to an unexpected event or a permanent need);
- Priority groups – families with children at risk; elderly people at risk; victims of domestic violence; dependent people; drug addicts; people infected with HIV and/or AIDS; persons/families identified by other institutions as being at risk.

It was not possible to collect data about levels of access to these services by the poorest fifth (or any other percentile) of the population since there is no cross information on income and access to water at national level. The same lack of information occurred in what concerns the rates of access to the services in specific public facilities and to the public financial resources spent in ensuring access to water and sanitation to vulnerable and marginalized groups.

#### *II.3.1 Public policies to address the needs of vulnerable and marginalised groups*

Following the absence of the concept in the water sector, no national level policy was identified to address the issues of vulnerable and marginalized groups. However, some areas of social policy such as the ones focusing on persons with special physical needs, Roma communities and institutionalized persons in prison facilities have included issues of access to water and sanitation in their concerns. Other sectors of social policy are lacking specific and integrated approaches related to the access to water and sanitation by vulnerable and marginalized groups. To a limited extent, there are, in some southern counties, water and sanitation local policies recognizing special and differentiated needs towards Roma people.

There are no specific mechanisms in place to identify and address water and sanitation needs of vulnerable and marginalized groups.

Public budgets do not address water and sanitation needs of vulnerable or marginalized groups per se. However, there are specific programs at national level for social housing (including a specific national strategy aimed at Roma communities) or to support the access to products and adaptation of sanitation equipment to the needs of persons with special physical needs.

Some integrated approaches involving different administrations have been adopted; these approaches will be addressed in II.3.2 and II.3.5.

The responses to the scorecard in this topic were considered to have a low reliability.

#### *II.3.2 Persons with special physical needs*

There is no data on levels of access to water and sanitation by persons with special physical needs. There is a legal obligation of ensuring accessibility to at least 10% of adapted sanitation facilities in all buildings with public access. All new housing projects must comply with technical regulations that ensure access to these people progressively until 2014.

On a national level, the System of Support to Products of Autonomy (SAPA) is aimed at funding the access by persons with special physical needs to specific products related to their needs, including products related to water and sanitation access (adapted showers, bars for toilet support, etc.), among others. The SAPA is jointly managed by the Ministries of Health, Education and Social Security. However, we could not assess the impact of this measure.

#### *II.3.3 Users of institutional facilities and institutionalised people*

There's no aggregated data available on the access of these users, but no problems were identified in what concerns youth detentions centres for and retirement homes. There is a legal framework for enforcing access to these services in schools, health, prison facilities and, in general, to all public buildings. One bad practice was recently abolished (the use of sanitation buckets in prisons). The funding for investments comes from public budgets, but there is no specificity.

All public institutions have a complaints book, as well as their proper complaint mechanisms.

Technical standards guarantee that institutional facilities have separate toilets for male and females as well as adequate facilities for menstrual hygiene management but there are no direct or indirect means to verify the compliance with these rules.

#### *II.3.4 Persons without a fixed residence*

There is no data about homeless people at the national level. The Support Office for Roma Communities of the ACIDI reported in 2009 that 4200 families of this community had no fixed residence and lived scattered around the country, mostly in tents without access to basic water and sanitation infrastructure. Several municipalities failed to answer the survey on the basis of the aforementioned report, so the real figures are probably higher.

There is a National Plan for Homeless People, but there are no specific provisions concerning access to water and sanitation. The new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds, with a specific goal of upgrading the access to water and sanitation of these communities.

Some municipalities, such as Lisbon, provide for free showers and sanitation facilities regarding homeless people and others with special needs. All these policies are supported by public funding.

#### *II.3.5 Persons living in housing without water and sanitation*

It is not possible to cross the available data about access to water and sanitation networks with the data concerning household income and vulnerable and marginalized groups. However, the national statistics about housing facilities equipped with water and sanitation (water, toilet and bathtub or shower) state that 98% are well equipped. About 0,18% totally lack water and sanitation equipment (7000 houses nationwide). Additionally, a survey from 2009 estimated that about 6400 Roma people lived without proper housing, water and sanitation conditions, although the figures are probably higher since several municipalities failed to answer this survey.

The existing policy makes provision for the right of connection to water and sanitation services if the network is available.

Some municipalities have specific social housing programs design to demolish or reform the neighbourhoods without access and move these groups to newly built council houses, with full access to water and sanitation. However, it was impossible to collect nationwide data about these initiatives. Some municipalities refuse to build water and sanitation networks for households/neighbourhoods of Roma communities close to neighbourhoods with access in order to prevent the permanent settlement of these communities. This question is being addressed at national level with the new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds.

#### *II.3.6 Persons without access to water and sanitation in their workplaces*

The Portuguese general law for work organization, the regulations for health, hygiene and safety at work places and the technical rules regarding shops, offices and services give a comprehensive and adequate legal framework. During 2012, the Authority for Working Conditions performed 37398 safety and health visits to work places involving 231.624 workers. The Authority issued 11 notices of



infraction of provisions of laws or regulations conducing to penalty fees and 717 notifications to employers to enforce measures that guarantee access to drinking water supply and sanitation to workers. In this respect, water and sanitation issues are seen as not problematic.

However, the ACT acknowledges some difficulties in reaching the black and informal economy where issues of lack of access to water and sanitation are likely to appear.

#### **II.4 Keeping water and sanitation affordable for all**

The national water and sanitation strategic plan embraces affordability as one of the pillars of the strategy. The Portuguese Water and Waste Services Regulation Authority performs annual assessments of macro affordability using the following reference parameters: Good service quality [0%; 0,50%]; Acceptable service quality ]0,50%; 1,00%]; unsatisfactory service quality ]1,00%; +∞[. These reference parameters are at a lower level than the common definition of affordability, which is usually fixed at 3% of the household budget.

In 2011, the average water and sanitation bill was 185,95€/year but with huge differences between operators. If the recommended social tariff where to be fully adopted by every operator, the average water and sanitation bill for the poorest families would be reduced to 120,95€/year.

##### *II.4.1 Public policies to ensure affordability*

The preliminary data for 2011 shows that charges to consumers with water and sanitation services represent on average less than 0,7% of the annual disposable income (consumption of 120 m<sup>3</sup>/year). This means that, on average, affordability is not a problem in Portugal. ERSAR also performs a micro affordability sensitivity analysis. This analysis includes a calculation, per municipality, of the percentage of the disposable income used by those earning the minimum wage to pay for water services.

Social concerns regarding affordability of water and sanitation services are closely related to tariff policy. According to a recent study made by ERSAR, nearly one half of the operators (municipalities) had some kind of social support to certain groups of consumers in 2011, and the majority of these had as main criterion for eligibility the income of the household, among others. The number of beneficiaries of social tariffs is estimated to be around 45.000 and the per capita subsidy is estimated to be around 62€/year, or a total of 2,8 million EUR. However, this is not the only source of subsidisation.

There's no national policy to ensure affordability to people without access to the public water and sanitation services.

Concerning public funding to address affordability concerns, at national level the eligibility criterion for accessing EU funding includes affordability concerns aiming to reduce the end-user tariffs by financing investments. At local level, there is subsidisation in a large number of municipalities, namely through low tariffs or specific social tariffs defined for the poorest, as we have seen. The amount needed to subsidise these tariffs comes mainly from local public budgets or from cross-subsidization between users through tariffs.

##### *II.4.2 Tariff measures*

There have been several studies on how to structure social support to address affordability issues, either through social tariffs, cross subsidisation between users (e.g. domestic and non-domestic users), cross subsidisation between richer and poorer regions, among others.

ERSAR's recommendations on tariffs are part of an integrated approach to provide more rationality to the tariffs charged for these services and have several dispositions that aim to address not only affordability at a macro level (on average) but the affordability of these services for the poorest, as stated before. Regarding the practical application of these recommendations, several municipalities

already apply a social tariff (nearly half of them) and many of them have tried to adapt their tariff structures to those recommended by ERSAR. The growing application of these recommendations will reduce the number of municipalities in Portugal that adopt low prices for these services in order to improve consumers' affordability. ERSAR is trying to abolish this practice because it poses real problems in terms of sustainability of the service in the long term and does not have a significant impact in the consumers who really need social support.

#### *II.4.3 Social protection measures*

There is no national policy regarding preventive or curative social protection measures.

However, in the framework of the Portuguese social protection system, Social Security Services may pay water debts of families or individuals who are in difficult economic situations, during a specific period of time. Individuals or families in situations of proven economic need - per capita income lower than the social pension, updated annually - are entitled to such benefits.

This cash benefits may be granted by means of:

- One-off payment when a temporary economic need is identified;
- Monthly allowances for a maximum of 6 months, when the economic need or the integration path of individuals/families justify it.

Prior to granting this type of grants technical intervention by the social security services is mandatory, to collect the necessary information to complete a social diagnosis and the study of the economic situation of the individual/family. These measures are not included in the national strategy for the sector.

There are some ad hoc social protection measures implemented at municipal level which aim to address not only affordability issues to access water and sanitation but to address a proper standard of living for the poorest families.

In Lisbon, the local drinking water operator (EPAL) is running a project since October 2012 together with 43 of the 53 parishes (boroughs) aimed at relieving the poorest households of the service quota (fixed tariff) for 18 months. The project now covers 6.800 households. The allocation of this support is based on a selection performed by the local parishes and it accounts for a 73,80€ saving in the water bill per household (4,10€/month).

### III. Critical assessment of the scorecard and propositions for improving it

The scorecard is very complete and detailed on all aspects of related to equitable access to water and sanitation. However, it is still very long and demands a lot of time and information to be fulfilled. The scorecard could be clearer and lighter in some parts.

In this respect, the table on “International obligations on water and sanitation” could be suppressed from the scorecard. It was almost impossible to identify what has been done to translate the international commitments into the national legislation. Also, this type of information remains unchanged over large periods of time (decades) and it is very hard to relate it to any part of the scorecard.

The connexion between Area 3.3 and the Annex can be improved. On the one hand, Area 3.3 encompasses many different realities and that makes the scoring a difficult task. On the other hand, the Annex has exactly the same questions as 3.3, which leads to an unnecessary duplication. We think that the Annex could be suppressed and Area 3.3 split in 4 Areas, taking into account the different areas of policy: education (kindergartens and schools); health; social security (retirement homes), justice and internal affairs (prisons and refugee camps). This option should allow for comprehensive answers and to concentrate the relevant information in only one place. It also makes the filling of the scorecard by different stakeholders an easier task.

The Glossary could include a clear definition of what is access to water and sanitation. In the Portuguese exercise we referred to the percentage of population for whom water and sanitation public services are available. The concept does not reflect the practical connection to the services.

The glossary could also include a description of relevant documents to look for when asking for data (for instance: legal documents, reports, surveys, handbooks, recommendations, etc.). Knowing this beforehand could be useful because when the scorecard asks for “data” it is not clear if it’s only quantitative data or also qualitative data and information.

The Scoring methodology could benefit from a clear understanding of what is meant by *No / To a little extent / To a large extent / Yes*. For the purposes of the Portuguese exercise, the answers were given according to the following criteria, considering the available data at national and/or local level:

- No – No data, national or local;
- To a little extent – No national data and some local data OR some national data, but not satisfying or merely indirect data;
- To a large extent – Some national data, regardless of the availability of local data;
- Yes – Data at national level is fully satisfying.

Specific questions:

1.3.3 – The expression “participate in decisions” could be improved to “participate in the decision making process” or “be consulted in decisions”. It is difficult to envisage how right-holders would “participate in decisions”.

4.2.4 – Scoring this question is confusing. We suggest rephrasing to “Tariff measures implemented to address affordability issues contribute to the financial sustainability of service provisions”

3.2.3 – This question seems to overlap question 3.2.5. Consider merging both questions into one.

## **2. Workshop discussion, critical assessment of the process and recommendations for the follow up of the country process**

The workshop in Portugal took place on February 25, in Fundação Calouste Gulbenkian, in Lisbon. Since the Portuguese pilot exercise takes a national approach, The Water and Waste Services Regulation Authority (ERSAR) convened a broad range of national government bodies and local service providers, NGOs and other institutions and personalities with a specific record or insight in addressing the issues of equitable access to join in a discussion about the preliminary results of the scorecard and the country process.

The workshop had approximately 60 persons from 35 organizations. The program of the workshop followed a step-by-step analysis of the scorecard, seeking detailed contributions and commentary from the stakeholders. This target was only partly met, since the interventions came mostly from representatives of government bodies. The relevant contributions were included in the final version of the scorecard. Almost none NGO and Operator's representatives intervened in the debate. The representatives of the Parents Association, of Church Charities ("Misericórdias" and "Cáritas") and of Civil Society organizations leading with prisons, immigrants, Roma and other vulnerable and marginalized groups didn't answer the invitation and were absent of the workshop. In consequence, the workshop was followed by a new call for contributions addressed at all stakeholders and a round of meetings with government bodies in the area of social policies (High Commission for Immigration and Intercultural Dialogue – ACIDI, Institute of Social Security - ISS, Authority for Working Conditions – ACT, .Ministry of Education).

The process of identifying and reaching for stakeholders outside of the water sector was a positive experience for ERSAR. So far, these are the main outcomes of this process to ERSAR:

- A broader understanding of the issues related to the access to water and sanitation in Portugal;
- Raise awareness about these issues among the stakeholders of the water sector and the general public;
- Have a clear notion of the available and lacking information about this topic, of the efforts needed to develop new tools for the collection of data and assessment of the reality (e.g. financial resources allocated to the sector, standards of service in specific facilities, levels of access for vulnerable and marginalized groups) and of the possible improvements in existing laws and regulations;
- A better knowledge of the undergoing initiatives and difficulties met by stakeholders in issues of access to water and sanitation in the field of human rights and of social policy.
- To place ERSAR in a pivotal role in this area;
- Get contributions for the on-going revision of the national strategic plan for the water sector (PEAASAR);
- Find the right partners to develop new initiatives in the area of equitable access to water and sanitation;

The process also brought to light some difficulties in convening the players outside the water sector to debate about these issues. In the end of the process, it became clear that filling the scorecard was a difficult task but the work needed to raise the stakeholder's awareness was also very time consuming since for most of them regarded this issue for the first time.

For the future, some developments in the country process are being considered, namely:

- Set the ground for an informal network of stakeholders from the water sector and from the field of human rights and social policies;
- Carrying out a Recommendation by ERSAR addressed at the operators of drinking water and wastewater management services about good practices in ensuring the human right to water and sanitation, including equitable access;
- The drafting of recommendations/handbooks of good practices in specific areas of social policies related with access to water and sanitation under the umbrella of the relevant government bodies (e.g. access in the workplaces; access in schools and education facilities; access in health facilities; etc.).