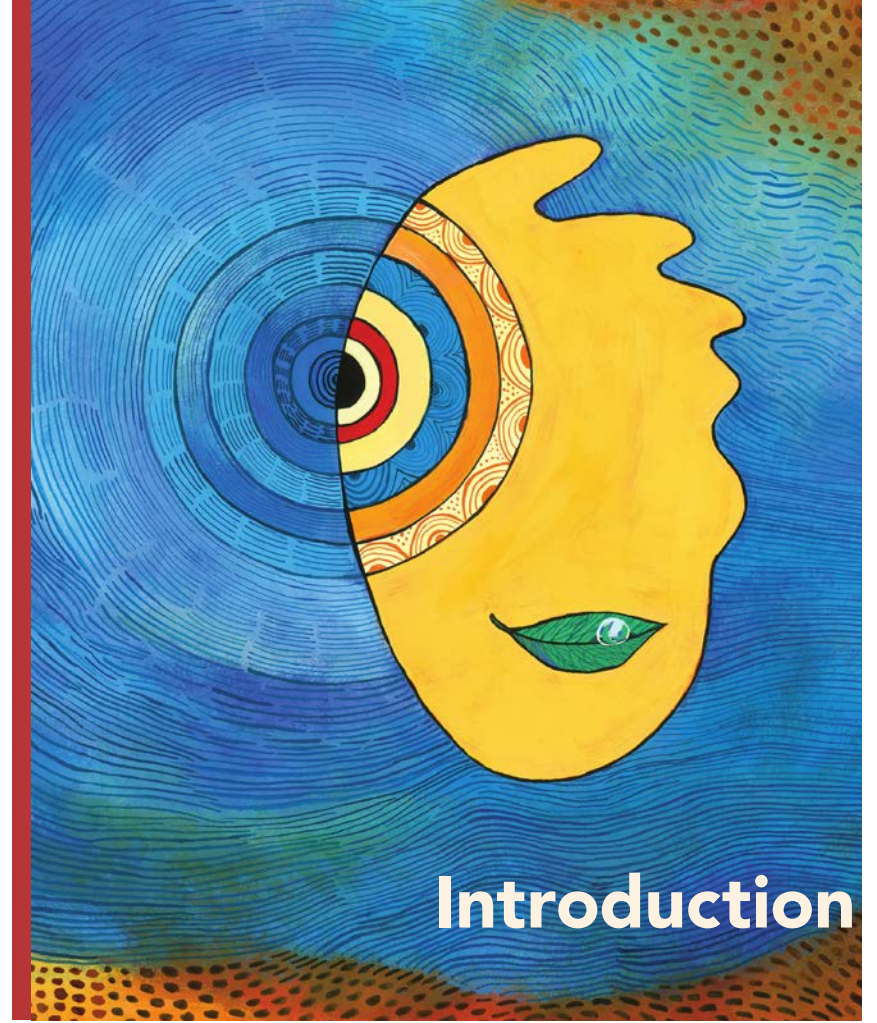




**Realising the human rights to
water and sanitation: A Handbook**



Introduction



State obligations:

- Progressive realisation and maximum available resources
- Respect
- Protect
- Fulfil
- Extraterritorial obligations


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Principles of Human Rights:

- Non-discrimination and equality
- Information and transparency
- Participation
- Accountability
- Sustainability


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Content of the human rights to water and sanitation:

- Availability
- Accessibility
- Quality
- Affordability
- Acceptability

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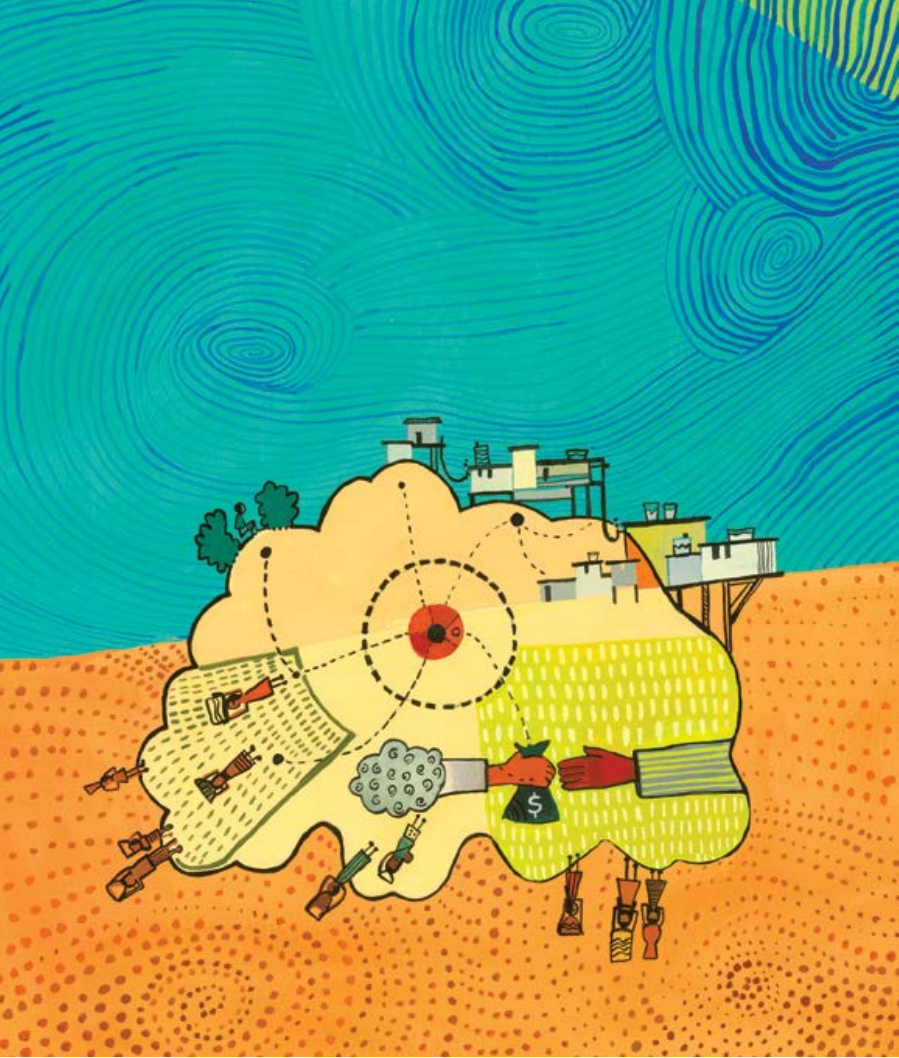
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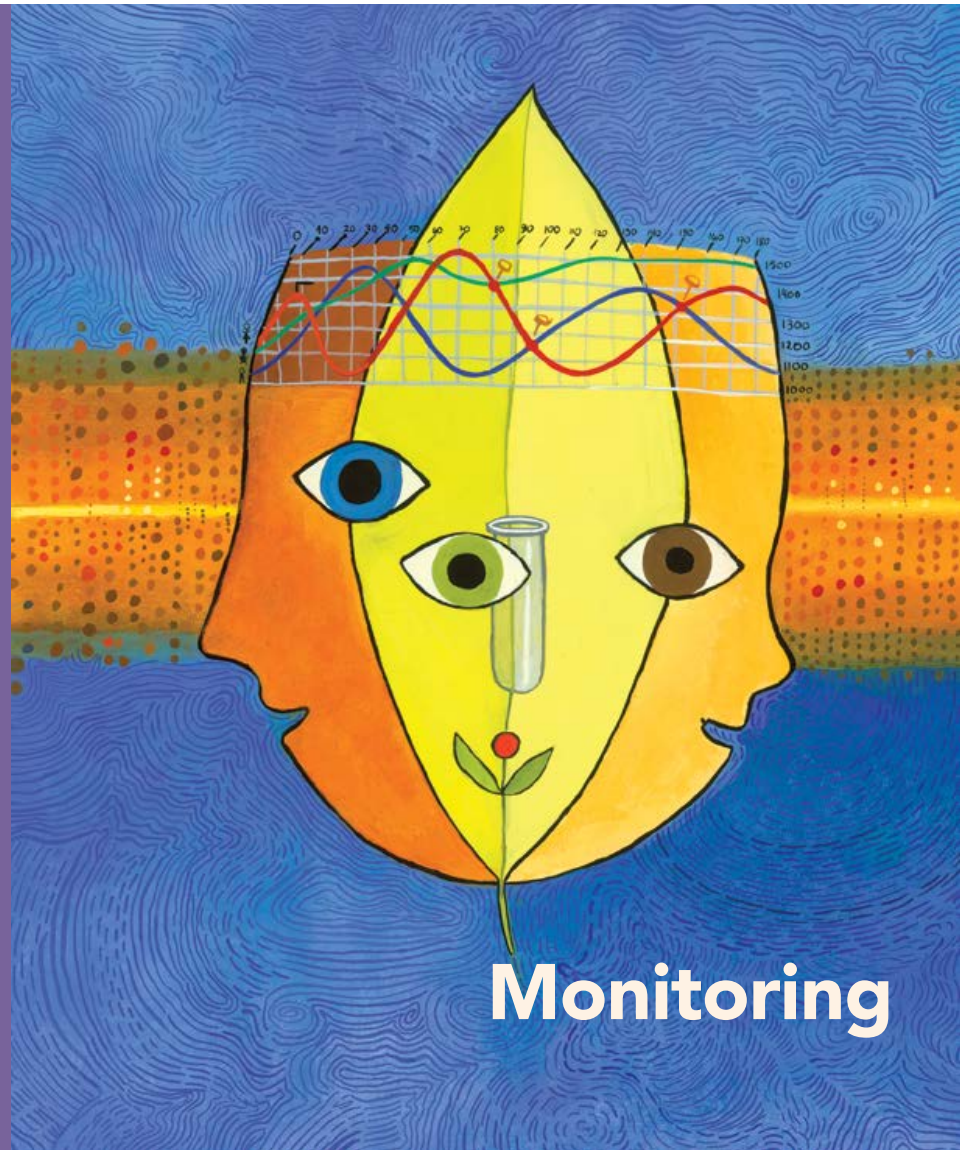
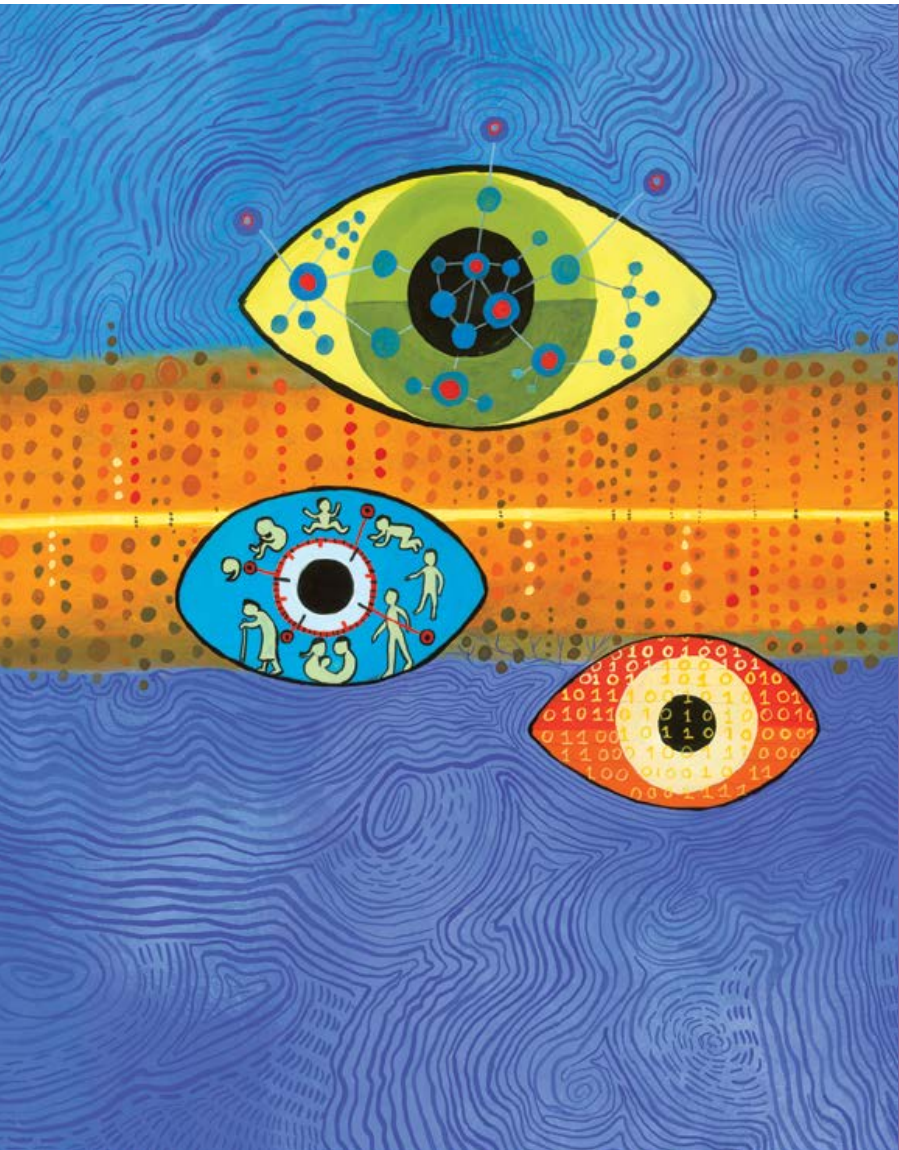
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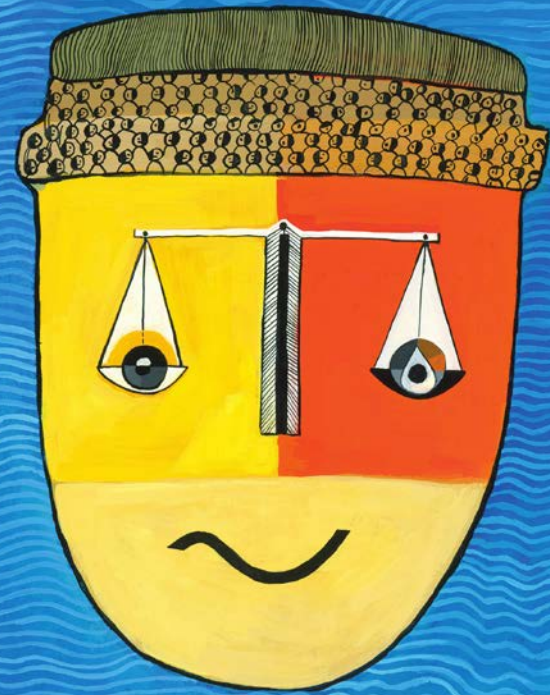
Frameworks



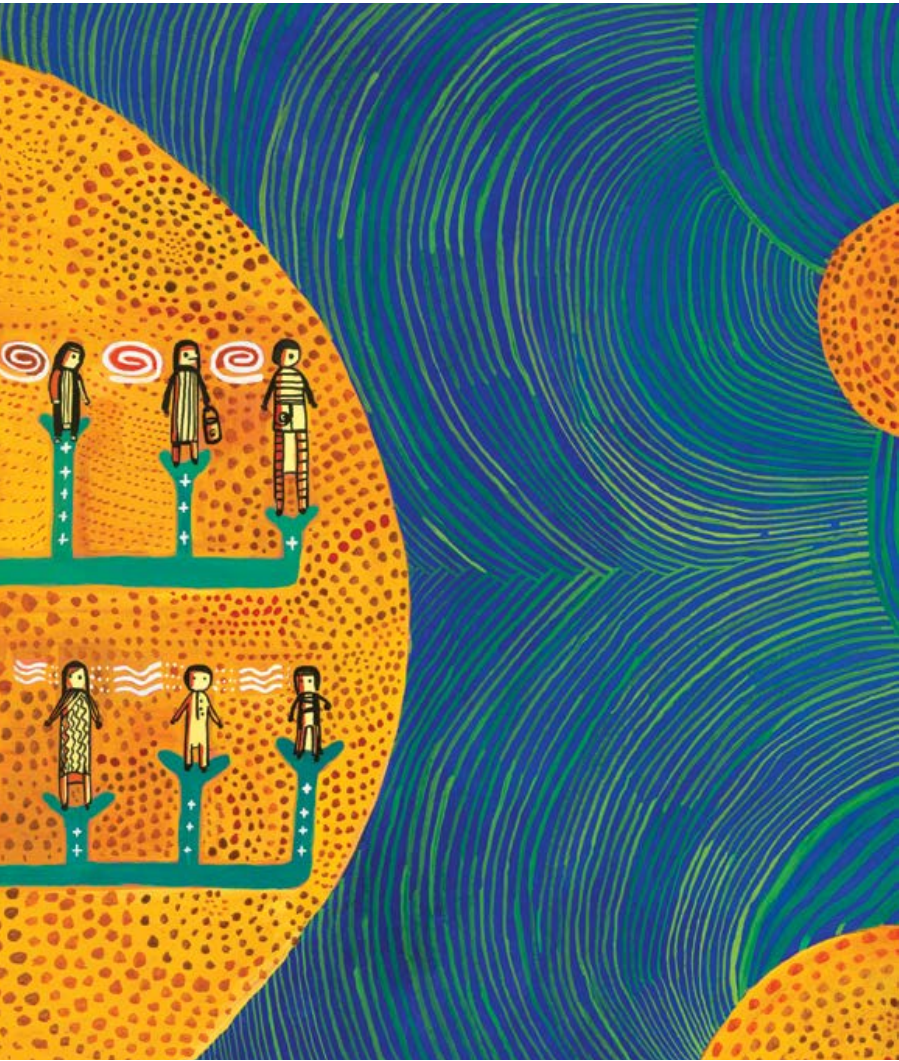




Monitoring



Justice



Justice

2.4. Audit and Monitoring

Systematic oversight and evaluation of the government's budget is essential if States are to be able to:

- assess the impact of expenditure on the realisation of the human rights to water and sanitation;
- ensure that resources are used in an effective and efficient manner; and
- ensure that funds directed from the national to sub-national government arrive in full and on time to the service provider.⁷⁰

At the national level, Brazil's Water and Sanitation Plan, Plansab, tracks budgeting and financing across regions and between types of expenditure.⁷¹

Reliable information about expenditure related to the water and sanitation sectors must be made available to the public as quickly as possible, and opportunities must be provided for civil society and oversight organisations to check this information.

States must monitor expenditure to make sure that allocations directed to realising the human rights to water and sanitation are spent as intended.

States must ensure that budgets can be tracked to reduce the risk of corruption

States should make information about the results of their oversight and monitoring publicly available, and they should assist civil society in their monitoring of government expenditures.



Challenges

1. Access in rural areas

There are significant impediments to delivering safe and affordable water and sanitation in rural locations, particularly where there are large distances between households or where water is scarce. While community-level user groups can manage some aspects of water-point management, States must put systems in place, through policies and regulations, to ensure that water and sanitation services are sustainable. (see *Services*, p.28)

States must incorporate provisions into their constitutions, laws, regulations and/or policies to ensure that water and sanitation services are accessible to all.



Legislative, policy and regulatory frameworks

	Yes	In progress	No
Does the Constitution or legislative framework specifically provide for non-discrimination and equality?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the Constitution require affirmative action or temporary special measures to achieve substantive equality?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are there laws providing complaint mechanisms, to ensure that discriminatory practices are addressed?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do policies specifically target people who don't have adequate access to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Financing and budgeting

Are the regions and population groups that lack access to services prioritised in budgets?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do financial reports reveal an enhanced financial effort on the part of the government to ensure that the most marginalised and hardest-to-reach communities are able to realise their human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are tariffs set in a way that ensures affordability for all individual users?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are there progressive tax regimes in place to raise the revenue for water and sanitation services in a way that does not overly burden people living in poverty?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Planning

Do strategies and plans prioritise basic access, and focus on the progressive realisation of safe and sustainable water, sanitation and hygiene for all, while eliminating inequalities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do strategies and plans address spatial inequalities, such as those experienced by communities in rural areas and informal settlements or slums?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Target setting

Have disadvantaged individuals and groups been identified?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Has the process of identifying disadvantaged individuals and groups been inclusive and participatory?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are the barriers and reasons for lack of access understood and addressed?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have specific targets been set for disadvantaged groups?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have targets been set to eliminate inequalities in access?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Specific	
State actors	
	<div style="display: flex; justify-content: space-around; align-items: center;"> Yes In progress No </div>
Has the government accepted recommendations on the human rights to water and sanitation in the context of the treaty bodies review and the Universal Periodic Review? Has it taken steps to implement them?	● ● ●
Is there an independent regulator that supports the monitoring of the human rights to water and sanitation?	● ● ●
Is there an independent national human rights institution that supports the monitoring of the human rights to water and sanitation?	● ● ●
Donors	
Do donors monitor their own projects for compliance with the human rights to water and sanitation?	● ● ● ●
Do donors monitor recipient States' policies and plans for compliance with the human rights to water and sanitation?	● ● ● ●
Before investing in constructing water and sanitation facilities, are the costs of operating and maintaining such facilities fully considered?	● ● ● ●
National human rights institutions	
Does the national human rights institution monitor the human rights to water and sanitation?	● ● ● ●
Does the national human rights institution play a role in raising awareness and strengthening understanding of the human rights to water and sanitation within the population?	● ● ● ●
Does the national human rights institution promote the human rights to water and sanitation to government at local and national levels, and does it strengthen accountability systems?	● ● ● ●
Service providers	
Do service providers monitor whether they are in compliance with the human rights to water and sanitation? <small>(see general questions)</small>	● ● ● ●
Is the quality of sanitation infrastructure and services monitored?	● ● ● ●
Are any informal service providers supported by the authorities / State to perform their monitoring functions?	● ● ● ●
Where Local Water Committees exist, do they undertake monitoring? How are they supported by the State in this?	● ● ● ●
Civil Society	
Does civil society monitor inequalities? Has it identified the most disadvantaged and excluded individuals and / or groups? Does it collect disaggregated data?	● ● ● ●
Does civil society monitor the human rights to water and sanitation in informal settlements?	● ● ● ●

 Introduction

 Frameworks

 Financing

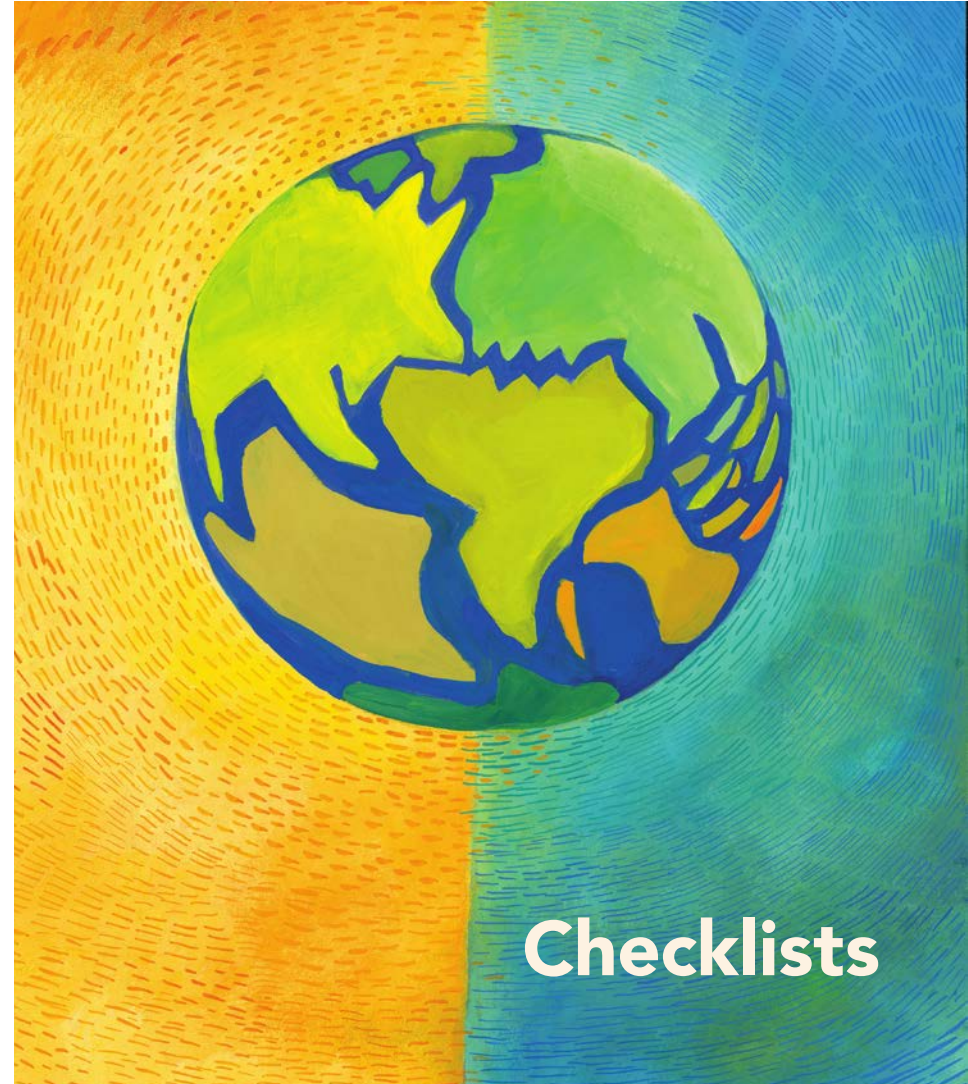
 Services

Monitoring

Justice

Checklists

Sources



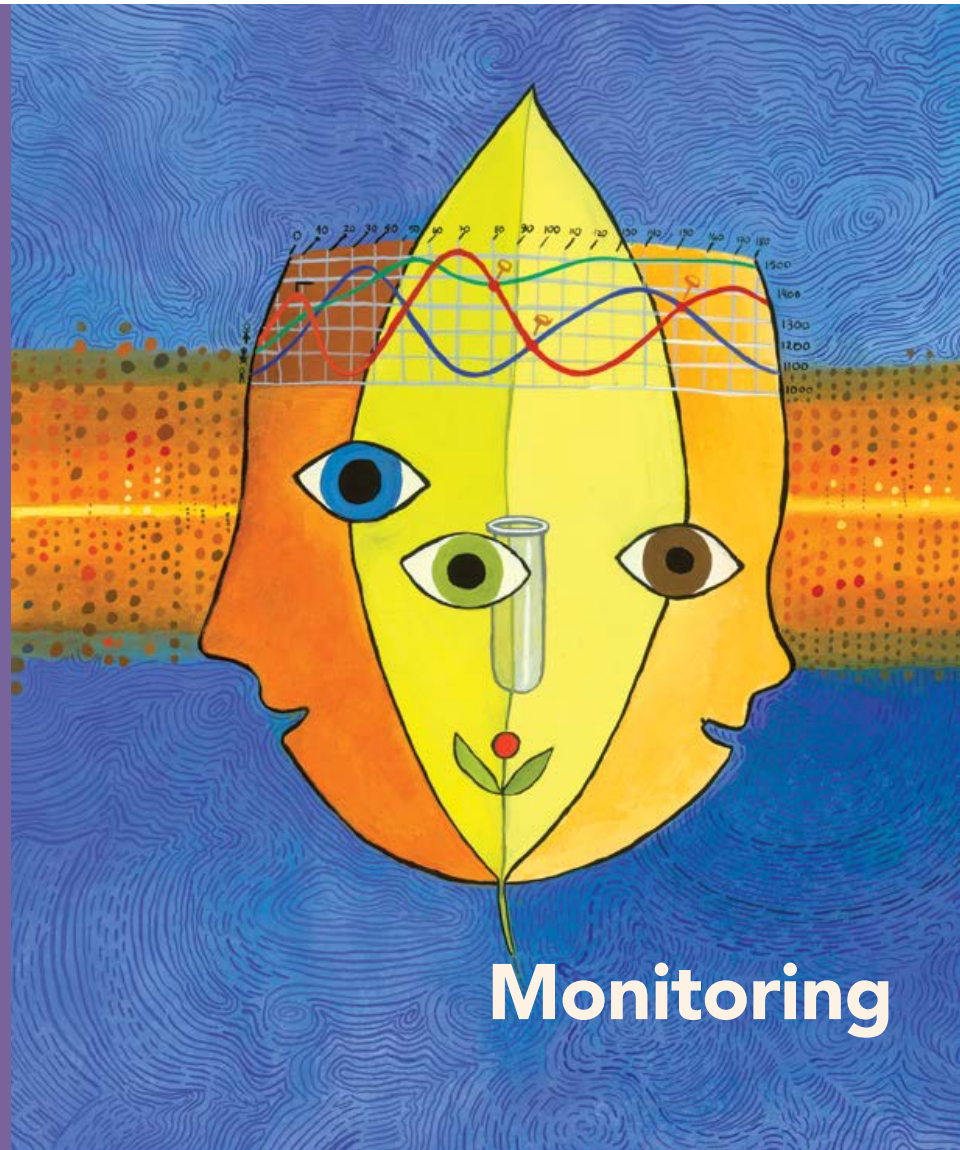
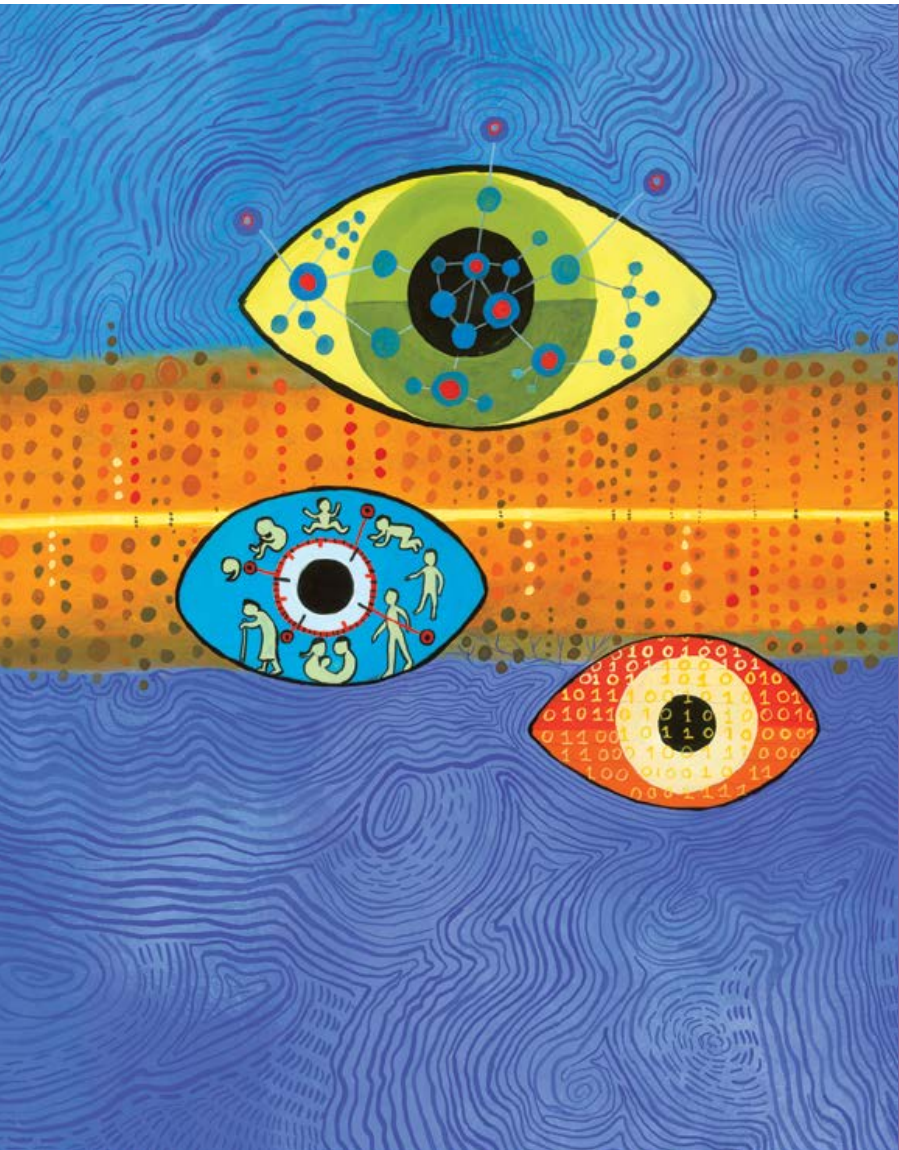
Future plans:

- Consortium of organisations working together to summarise, popularise, contextualise and disseminate the messages in the Handbook (WaterAid, UNICEF, WASH United, ISF, IRC, OHCHR etc.)
- Factsheets, videos, trainings, powerpoints, etc.



www.righttowater.info

Realising the human rights to
water and sanitation: A Handbook



Monitoring

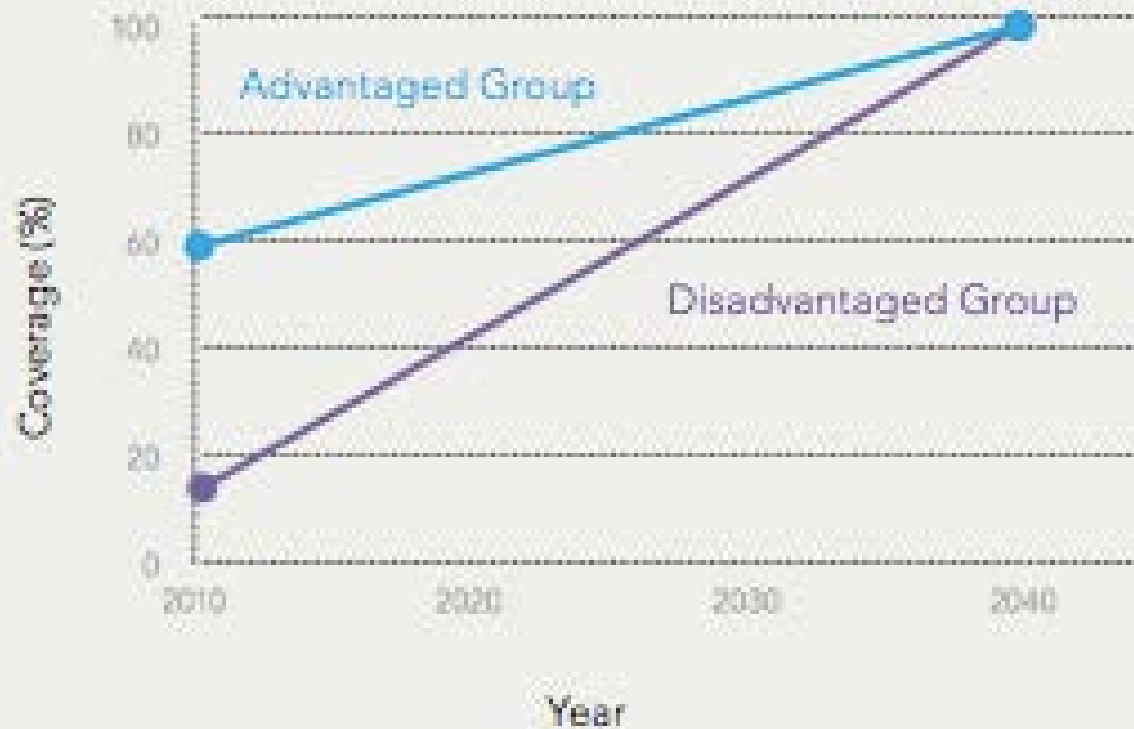
Contents

01. Monitoring the human rights to water and sanitation	5
1.1. What does monitoring of the human rights to water and sanitation require?	7
1.2. The public availability and accessibility of information	8
02. Monitoring of national and local standards and targets	9
2.1. Monitoring inequalities	11
2.2. Monitoring availability: challenges and solutions	14
2.3. Monitoring accessibility: challenges and solutions	15
2.4. Monitoring quality: challenges and solutions	17
2.4.1. Monitoring water quality	17
2.4.2. Monitoring the quality of sanitation provision	18
2.5. Monitoring affordability: challenges and solutions	19
2.6. Monitoring acceptability: challenges and solutions	20
2.7. Monitoring sustainability	21
03. Other national actors in monitoring the realisation of the human rights to water and sanitation	25
3.1. State bodies	26
3.1.1. Regulatory bodies	26
3.1.2. National human rights institutions	26
3.2. Service providers	27
3.3. Civil society organisations and non-governmental organisations	28
04. The international frameworks for monitoring access to water and sanitation	31
4.1. International frameworks for human rights monitoring	32
4.1.1. Monitoring through treaty bodies	32
4.1.2. Universal Periodic Review	34
4.1.3. Special Procedures	35
4.2. Using other monitoring systems to scrutinise the human rights to water and sanitation	36
05. Checklist	39
06. Image credits and references	43

01. Monitoring the human rights to water and sanitation	5
1.1. What does monitoring of the human rights to water and sanitation require?	7
1.2. The public availability and accessibility of information	8

02. Monitoring of national and local standards and targets	9
2.1. Monitoring inequalities.....	11
2.2. Monitoring availability: challenges and solutions.....	14
2.3. Monitoring accessibility: challenges and solutions	15
2.4. Monitoring quality: challenges and solutions	17
2.4.1. Monitoring water quality	17
2.4.2. Monitoring the quality of sanitation provision.....	18
2.5. Monitoring affordability: challenges and solutions	19
2.6. Monitoring acceptability: challenges and solutions	20
2.7. Monitoring sustainability	21

DETERMINING THE RATE OF PROGRESS NEEDED TO REDUCE INEQUALITIES



Source: Post-2015 Wash Targets and Indicators available at http://www.wssinfo.org/fileadmin/user_upload/resources/Fact_Sheets_4_eng.pdf

This metric can be applied to different population groups. These should include:

- poor people and rich people
- people living in rural and in urban areas
- people living in formal and in informal settlements
- the specific disadvantaged groups identified in each country, compared to the general population

The progressive elimination of inequalities can be monitored by following these steps:

1. Compare the access to water (or sanitation) of the worst-off population group with the better-off population to establish the disparity.
2. Determine the necessary rate of progress for both worst-off and better-off groups in order to meet the target (shown here as universal access – 100% coverage).
3. If the progress of both the worst-off and the better-off groups follows or even exceeds the determined rate of progress, and if the disparity between the two population groups narrows accordingly, inequalities will be progressively eliminated.

Monitoring affordability

An assessment of the ability of low-income groups to pay for water and sanitation services would need to take account of the following factors:

- All relevant water and sanitation costs, including connection charges.
- Costs of other essential goods and services.
- Different income and debt levels (particularly poorer groups).
- Seasonal and changing/irregular income levels (such as for unemployed and agricultural and informal sector workers).
- Average levels of water use by members of vulnerable groups (such as those with medical conditions).
- Average family size.
- Any special measures provided by the State, including subsidies to water and sanitation costs and social grants.

Useful affordability indicators?

- Percentage of income?
- Existence of relevant policies?
- Availability of special measures?
- Progressive tariff systems?

03. Other national actors in monitoring the realisation of the human rights to water and sanitation	25
3.1. State bodies.....	26
3.1.1. Regulatory bodies.....	26
3.1.2. National human rights institutions.....	26
3.2. Service providers	27
3.3. Civil society organisations and non-governmental organisations.....	28

04. The international frameworks for monitoring access to water and sanitation	31
4.1. International frameworks for human rights monitoring.....	32
4.1.1. Monitoring through treaty bodies.....	32
4.1.2. Universal Periodic Review	34
4.1.3. Special Procedures.....	35
4.2. Using other monitoring systems to scrutinise the human rights to water and sanitation	36

General

	Yes	In progress	No
Has the State established indicators to monitor the human rights to water and sanitation?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the availability of water and sanitation at the national and local levels?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the accessibility of water and sanitation facilities, including accessibility for people who may face barriers in access, such as marginalised or excluded individuals and groups, persons with disabilities, the young, and older persons?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors access to water and sanitation outside the home: at workplaces, schools, health institutions and public spaces, as well as for people who live in places where they have no control over their own access, such as in detention centres?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors access to services at the level of the household? Does monitoring of access within the household consider people suffering from stigmatised chronic illnesses such as HIV/AIDS?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors water quality?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the quality of sanitation provision?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does monitoring include the availability of water and sanitation services?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the affordability of water and sanitation services?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the acceptability of water and sanitation facilities? Are participatory approaches to monitoring put in place?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors the sustainability of new water and sanitation facilities?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors inequalities? Have the most disadvantaged and excluded individuals and / or groups been identified? Is disaggregated data available?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an institution that monitors inequalities? Have the most disadvantaged and excluded individuals and / or groups been identified? Is disaggregated data available?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are the data for the worst-off populations compared with those for the better-off populations, to establish the disparities?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the rate of progress necessary to meet the target determined for both the worst-off and better-off groups?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Specific

State actors

	Yes	In progress	No
Has the government accepted recommendations on the human rights to water and sanitation in the context of the treaty bodies review and the Universal Periodic Review? Has it taken steps to implement them?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an independent regulator that supports the monitoring of the human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is there an independent national human rights institution that supports the monitoring of the human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Donors

Do donors monitor their own projects for compliance with the human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do donors monitor recipient States' policies and plans for compliance with the human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Before investing in constructing water and sanitation facilities, are the costs of operating and maintaining such facilities fully considered?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

National human rights institutions

Does the national human rights institution monitor the human rights to water and sanitation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the national human rights institution play a role in raising awareness and strengthening understanding of the human rights to water and sanitation within the population?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the national human rights institution promote the human rights to water and sanitation to government at local and national levels, and does it strengthen accountability systems?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Service providers

Do service providers monitor whether they are in compliance with the human rights to water and sanitation? (see general questions)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the quality of sanitation infrastructure and services monitored?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are any informal service providers supported by the authorities / State to perform their monitoring functions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Where Local Water Committees exist, do they undertake monitoring? How are they supported by the State in this?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Civil Society

Does civil society monitor inequalities? Has it identified the most disadvantaged and excluded individuals and / or groups? Does it collect disaggregated data?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does civil society monitor the human rights to water and sanitation in informal settlements?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>