

Swiss Agency for Development and Cooperation SDC



# Realizing the Human Right to Water And Sanitation

NEW TOOLS FOR DEVELOPMENT PRACTITIONERS

Human Rights Workshop 5-7 Sept. 2012

# Background



- 2007 SDC & COHRE, Manual on the Right to Water and Sanitation
- 2010 UN Recognition of HRWS → Implementation Gap at National Level
- 2011 SDC/AGUASAN Workshop

### ⇒ 2 Products:

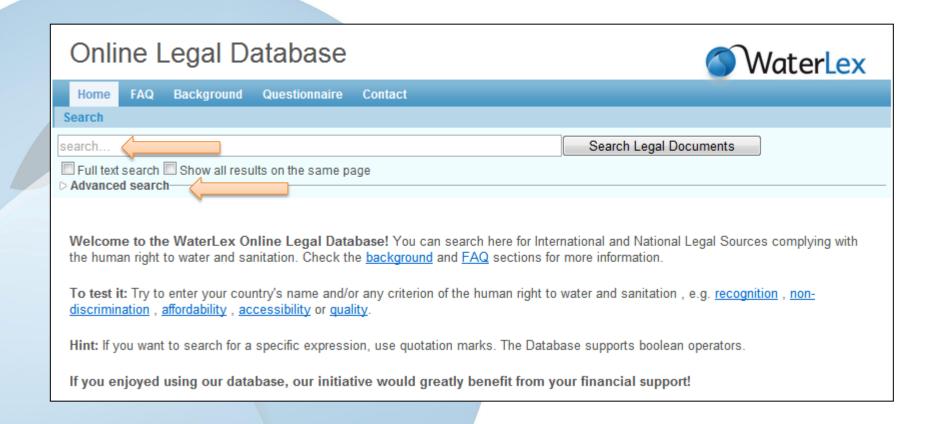
- Governments: Legal Database
- ODA [& Devel. Partners]: ToolKit





# Online Legal Database

Link: http://www.waterlex.org/waterlex/fr/ressources/online-legal-database





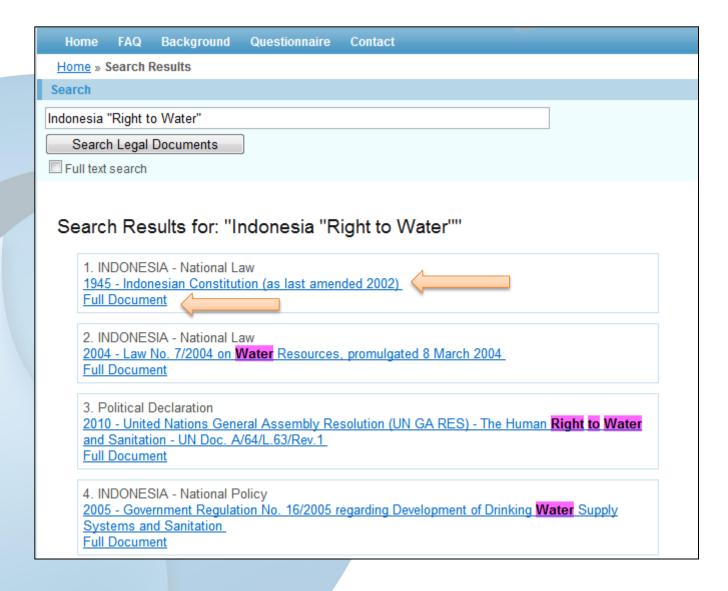
### **Database Features**

- Collection of Laws & Policies Original PDF (International & National Level)
- Selection of legal sources = HRWS Components (Water Quality, Availability, Accessibility, Affordability, Nondiscrimination, Information, Participation, Sustainability...)
- Scientific Committee

(Universities: Geneva, Harvard, Oslo, Essex, Wits; Swiss Institute of Comparative Law; UN Special Rapporteur HRWS)

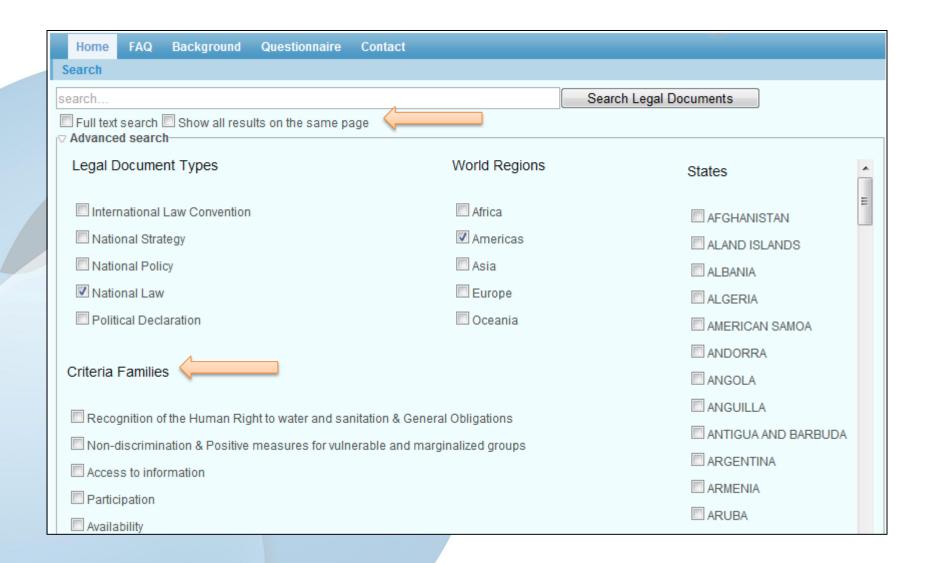


# **Example Simple Search**





# **Example Advanced Search**



# **Example Result**



GUATEMALA: 1985 - Constitution of the Republic of Guatemala - 1985 (as amended 17 November 1993) Guatemala Author Available at: http://www.constitutionnet.org/files/Guatemala Constitution.pdf Description Criteria Families Accountability; Quality Quotations Article 96 - Quality control of products The State will control the quality of food products, pharmaceuticals, chemicals, and of everything that can affect the health and wellbeing of its inhabitants. It will see to the establishment and programming of priorities to health and the improvement of the conditions of the basic environmental guarantee of the communities that are least protected. Criteria Families: Accountability ; Quality Status enacted



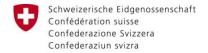


- 2012
  - Advanced Search Option
  - Case Law (Book + Database Integration)
  - Add-in Option open to everyone!
     (Peer-review by Scientific Committee)
- 2013
  - Identification of National Contact Points (NCP)
  - ... striving for exhaustivity!





- 1. Visit the Database!
- 2. Send feedback (cf. questionnaire)
- 3. Send legal sources as contributions



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# The ToolKit for Development Practionners



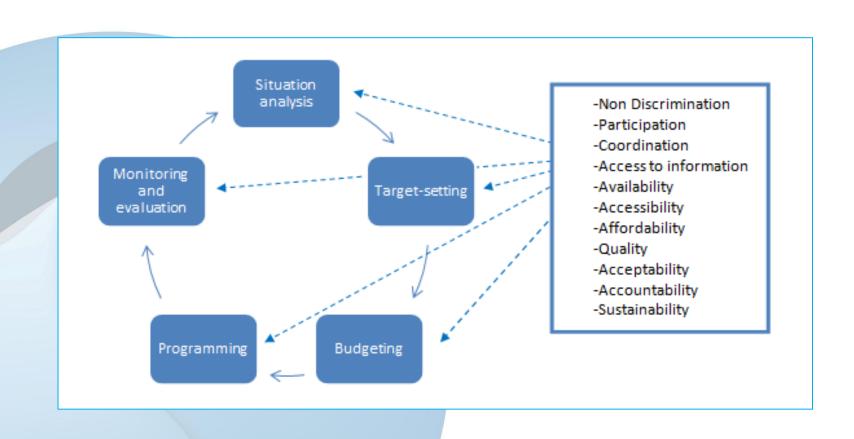


# Rationale of Project

- Recognition of Human Right to Water and Sanitation ⇒ Impact on Development Project Operations?
- Many existing tools 
   ⇒ Need for Harmonization
   e.g. for evaluation, equity, gender
   mainstreaming, project management ...
- 3. Bringing down issues to Practitioners Level ⇒ Dynamic, User Friendly & Case Studies

### The Methodology









# Step 1 – Choose Your Entry Point





# Realizing the Human Right to Water and Sanitation A Toolkit for Development Practitioners based on the Project Cycle Management



Situation analysis

Target-Setting

**Budget-Setting** 

Programming

Monitoring and Evaluation

Compilation of Tools

Good Practices







# Step 2 – Pick Your Interest

Methodology, Checklist, Top 10 Action Points, Tools or Good Practices!





# Realizing the Human Right to Water and Sanitation A Toolkit for Development Practitioners based on the Project Cycle Management



Target-Setting Methodology and Tools

Situation analysis

Target-Setting

**Budget-Setting** 

Programming

Monitoring and Evaluation

Compilation of Tools

Good Practices

### **METHODOLOGY**

Methodology

Checklist

### **TOOLS**

Top 10 Action Points for Target-Setting

Tools

Good Practices

Please, select an option and clic the blue button.















# Methodology



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Situation analysis

Target-Setting

**Budget-Setting** 

Programming

Monitoring and Evaluation

Compilation of Tools

Good Practices

#### **METHODOLOGY**

Donors and project managers must set ambitious but realistic targets and objectives, on the basis of the capacity gaps identified in the situation analysis (Step 1). Legislative capacities and/or legislative framework may need to be strengthened to bring national laws into compliance with human rights obligations. Institutional reforms may be needed to legislate, improve governance, strengthen capacities to elaborate budget and budget analysis and provide people with effective remedies when human rights are threatened. Policy reforms may be needed to meet with human rights standards, including to combat discrimination, and ensure consistency between macroeconomics and social policies, scaling up or adjusting public expenditure towards progressive realization of the right to water and sanitation, including to prioritize the poor and most marginalized. People empowerment will be needed to bring/compell duty bearers to fulfill their duties and enable rights-holders to claim their rights.

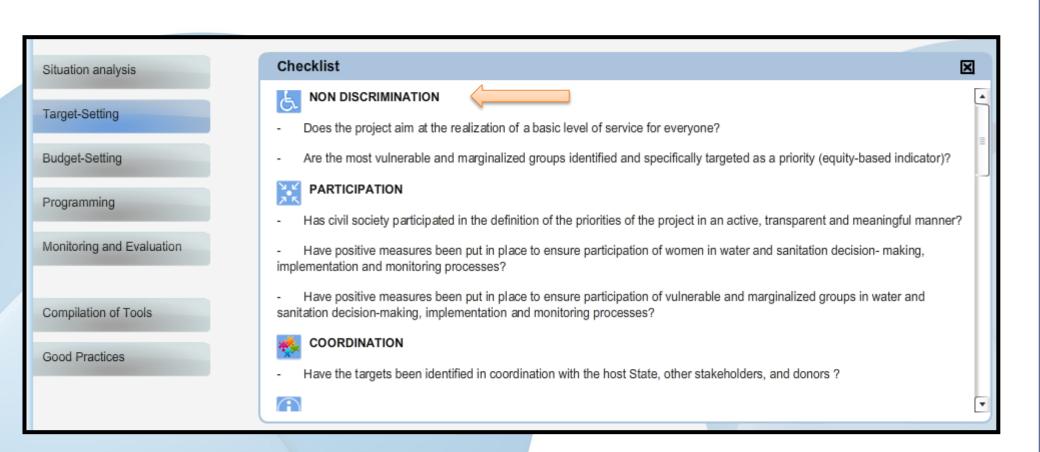
Structure, process and outcome indicators must be defined so as to ensure the progressive realization of the human right to water and sanitation. This typically involves several phases: e.g., articulating of and agreeing on objectives, selecting indicators and setting targets, monitoring performance (collecting data on results), and analyzing those results vis-à-vis previously defined targets.

Human rights-based targets must be defined in such a way as to ensure respect for the following:

- Human rights-based targets are founded on human rights principles, derived from human rights standards and the normative content of human rights. They will define clear objectives as to enhance human rights criteria.
- "to take steps ... to the maximum of its available resources" to achieve progressively the full realization of human rights

### Checklist





## **Top 10 Action Points**



Situation analysis

Target-Setting

**Budget-Setting** 

Programming

Monitoring and Evaluation

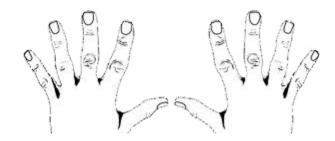
Compilation of Tools

Good Practices

#### **TOP 10 ACTION POINTS FOR SITUATION ANALYSIS**

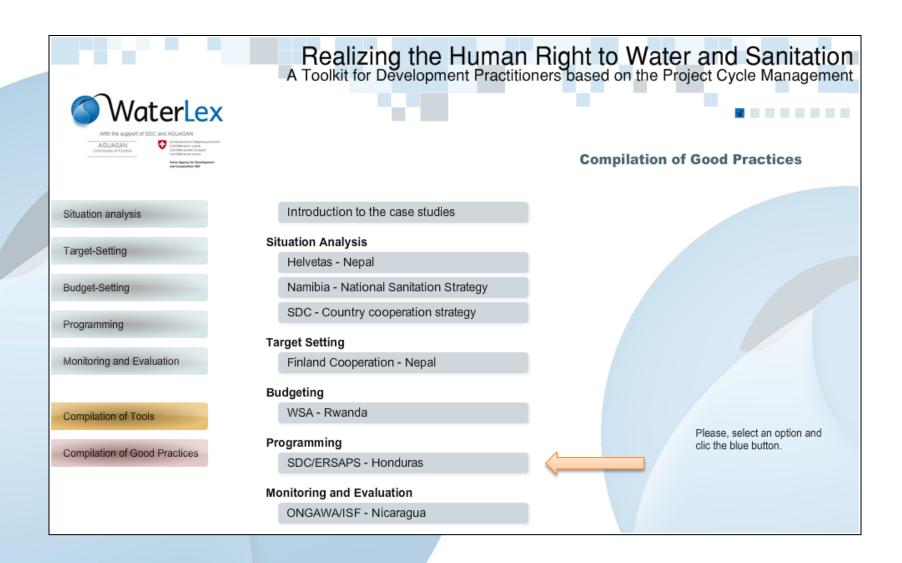


- Assess how the right to water and sanitation is protected under the domestic legal framework
- Assess human rights challenges by involving the local population
- Assess human rights challenges through the monitoring reports of intergovernmental organizations, international and national human rights mechanisms and international financing mechanisms
- Identify factors of discrimination in water and sanitation access (no access or poor access)
- Assess the priority recognized to hygiene education in country development strategy
- Assess whether human rights challenges are linked to the implementation of the legal framework
- Map out entitlements of rights holders (claims submitted) and obligations of duty bearers
- Identify the activities of the State and other development partners in that specific area
- · Identify good examples of human rights protection or promotion in the country
- · Discuss the situation analysis with State authorities









### **Good Practice**



### Good Practices SDC/ERSAPS - Honduras

Honduras - Strategy for Local Participation in Water and Sanitation Control in Honduras

### Description

- 1. Brief summary of the project
- 2. Programming to strengthen accountability
- 3. Added value/outcomes
- 4 List of tools and documents

### 1. Brief summary of the project

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The mission of the Honduran Regulatory Agency of Drinking Water and Sanitation (ERSAPS) is to ensure compliance with the Water and Sanitation Framework Law, in order to guarantee Honduran population efficient and quality drinking water and sanitation services. This regulator was created as one of the basic institutions of the new institutional framework for water and sanitation provisions of the Law, with administrative functions of regulating and controlling the provision of water services and sanitation in the country. Amongst the actions undertaken, the ERSAPS has implemented the Strategy for Local Participation in Water and Sanitation Control, consisting in the implementation of water and sanitation regulations in selected Honduran municipalities. The project ran from July 1, 2006 to December 31, 2011.





#### Presentation of the tools

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actors (NGOs, donors, UN organizations and research institutes). The presentation made here of these tools intends to help practitioners understand when they, in their day-to-day practice, comply with a human rights-based approach, and what, on the other hand, can be improved in that respect and how.

#### INFORMATION/DATA SOURCES

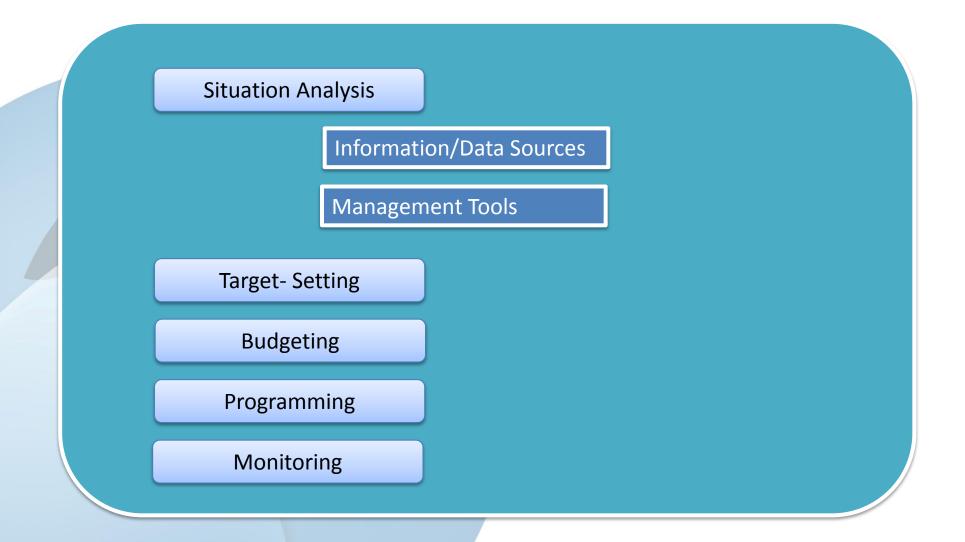
Donors need country information in order to develop cooperation strategies. So do water, sanitation and hygiene (WASH) practitioners while preparing a project. This section proposes a selection of information and data sources in order to assess information available at hand for a human rights-based approach to country situation analysis in water and sanitation.

Information and data sources are divided into national documents and international data sources.

- National documents are generic policy (e.g. national laws and regulations on water and sanitation) and monitoring (e.g. evaluation report about the national reduction strategy paper) documents that inform on the country situation in the water and sanitation sector. It is important to be in contact with the institutions developing these national documents as the project prepared and the activities of donors will be relevant for updating the information of the latter.
- International information/data sources (e.g. WHO/UNICEF Joint Monitoring Programme on Water Supply and Sanitation (JMP))
  exist that provide data that must be compiled and analyzed by the donor and project manager so as to evaluate how much data is
  available about the country situation as well as data coherence. International standards (e.g. WHO Guidelines on Water Quality and
  Wastewater Purification) relevant for each human irghts criteria are also presented.

# **Compilation of Tools**





### **Data Sources**



# Information/Data Sources

Human Rights Instruments

- International treaties ratified
- National Human Rights Action Plan etc

Office of the High Commissioner for Human Rights, <a href="http://www.ohchr.org/english/law">http://www.ohchr.org/english/law</a>

Developmentfocused Documents

- National Development Plan
- National Poverty Reduction Strategy Paper

World Bank Country papers, <a href="http://web.worldbank.org">http://web.worldbank.org</a>

Water Specific Documents

- National Water and Sanitation Policies and Laws
- CSOs

Water and Sanitation Programme (WSP), <a href="http://www.wsp.org">http://www.wsp.org</a>

Statistics

 WHO/UNICEF Joint Monitoring Programme data

WHO/UNICEF Joint Monitoring Programme, <a href="http://www.wssinfo.org/">http://www.wssinfo.org/</a>

# Management Tools



Management Tools

Tools	Participation	Coordination	Empowerment	Equity	•••
SWOT		*			
Problem & reference Ranking	**		*		
Problem Three Analysis					
Participatory Mapping	***	*			

## **Next Steps**



- 2012
  - Finalization of Tools (October 2012)
  - Start of field testing
- 2013
  - Field testing
  - Loading with additional Practices
  - Improvement of Tool

# Everything is online!



