

Countries experiences in contributing to the implementation of the Sustainable Development Goals related to water

Session: Ways to realize the human right to water and sanitation

Session report, 16 January 2015

Introduction

The human right to water and sanitation has been explicitly recognized by the UN General Assembly Resolution A/RES/64/292 in July 2010. Meanwhile, the Human Rights Council Resolution A/HRC/RES/18/1 of September 2011 put particular emphasis on practical solutions with regard to the implementation of the human right to safe drinking water and sanitation. In this context, this session discussed key issues to realise the human right including non-discrimination and equality to reach equality of water and sanitation service provision; end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations; and supporting and strengthening the participation of local communities for improving water and sanitation management.

The session started with an overview presentation by Faraj el Awar, UN Habitat, who outlined the main challenges for WASH:

- *Inadequate allocation and financing for water and sanitation (2014 GLAAS report).*
- *Out-dated infrastructure and limited network coverage.*
- *Weak legislations and management.*
- *Limited capacitation and skilled human resources.*

He mentioned the intense work UN Habitat has done with governments to develop tools: manuals, maps, information tools, etc., and did an introduction to the session cases and main discussion topics: implementation challenges, best tools, key obstacles, conditions for success and role of governments for achieving WASH targets.

The Human Right to Water and Sanitation

The session continued with a presentation from the UN Special Rapporteur on the human right to safe drinking water and sanitation, Léo Heller. He presented the definition and legal basis for the Human Rights to Water and Sanitation, and its cornerstones:

- *Equality and non discrimination,*
- *Participation and inclusion*
- *Accountability and the rule of law*

He introduced the MDG target on water and its main constraint: inequalities (urban-rural, north-south), as well as the main ways for action and realization: financing, public policies and technologies.



Léo Heller, UN Special Rapporteur on the human right to safe drinking water and sanitation

Tools for implementation

Different tools for implementation have been developed. These were discussed by Guy Hutton, Senior economist, Water and Sanitation Programme, World Bank; Benson Ajisegiri, Director Reform and Head of the Public/Private Partnership Unit, Ministry of Water Resources, Nigeria and Luis Simas, Head of the Drinking Water Quality Department, ERSAR -Portuguese Water and Waste Services Regulation Authority.

Cases

The World Bank has led a **study estimating the global costs, benefits and financing** to meet the proposed target of reaching universal basic WASH access by 2030, with the aim to inform decision making on the selection and financing of WASH interventions.

The Girls and Women (G-WIN) Project in Nigeria is aimed at empowering girls and women and make them leaders in water management, and reduce the long walking distances to access water in rural and semirural areas.

The creation of an **independent regulatory body for the water sector (ERSAR) in Portugal**, with particular emphasis in drinking water quality, allowed an increase from 50% to 98% in the access to safe drinking water in a 10 years period.

Lessons learnt for implementation

Costs to extend access to water supply and sanitation to the unserved: USD 200 billion and USD 100 billion respectively

The new study from the World Bank to estimate global costs and cost-benefits of achieving universal WASH access shows that it would cost almost US\$ 200 billion to extend access to the unserved for water supply and a little over US\$ 100 billion for sanitation. This annual amount is about one tenth of the total costs to achieve and maintain universal 'WatSan' coverage for all the population. Globally, 50% of these costs – US\$ 10 billion per year – need to be spent on the bottom two income quintiles (i.e. the poorest 40% of the population). The exact additional financing required by the sector is not known; but 80% of the countries responding stated that public finance is required but insufficient to meet established targets for WASH. Currently funding comes mainly from taxes, tariffs and transfers.

According to Guy Hutton (World Bank) there are three main instruments for viable financing of WASH for those with lower incomes.

- **Tariffs-Households:** Tariffs need to reflect Affordable Technologies: in poor communities where households cannot contribute significantly, the selection of affordable but efficient technologies will be essential, until time allows for economic growth and more expenditure capacity on essential services.
- **Taxes-State:** the issue is that there is less financing available than public funds flowing to the beneficiaries and to projects for community-wide behaviour change. In the future, economic growth and improved tax policies should lead to higher public budgets. Also, current allocations need to shift (or balance): more for sanitation and for rural areas, and better targeting of needy populations.
- **Transfers-International donors:** While USD 15 billion was spent by external support agencies in 2012, this is often on services that do not extend basic WASH to the unserved, or at least for poor people. In addition 60% of countries do not absorb a high percentage of donor capital commitments for sanitation. In the future, potentially there may be declining commitments from existing donors but new donors are emerging.

The main obstacles identified to raise the finances for 'WatSan' are the lack of political will and prioritization, weak policies in the public sphere, and constraints to the operation of the private sector, together with the often lack of a strong local governments.

Mismanagement of funds and infrastructure vs. improved targeting. Scaling up through women empowerment

In 2007, less than 5% of water infrastructure operation involved women in Nigeria and most women needed to walk long distances to get water. The continued problem of mismanagement of funds and infrastructure drove the Government to run in 2013 the 'Girls and Women Water Project', which aimed to give women the power of water management in some pilot areas. The results showed that women were better water managers than men. It is intended that this project be replicated and upscaled, but the limited funding allocated by the government, together with the infrastructure gap and the large population growth are important challenges. There are some other additional multi-dimensional challenges to make women leaders in water management in Nigeria, like religion, education and culture. Some of the solutions considered to overcome them include awareness raising and advocacy,

aggressive training and direct budgetary provisions to support women and girls. Even in Nigeria where the oil and gas sector bring important revenues, political will is still important and there is always a need for local governments to increase funding and make it revert in the communities.

The independence of the regulator is crucial

At the beginning of the 21st century, the substantial water related problems and inequalities (urban-rural, coastal-inland), together with the impositions from the European legislation, drove the creation of an independent regulatory body for the water sector in Portugal, with particular focus on water quality. This allowed an increase from 50% to 98% in the access to safe drinking water in a 10 year period.

The advantages of an independent regulatory body in guaranteeing the stability of the regulatory framework include the fact that it is not influence by the political calendar, namely the elections; it is founded on technical aspects and not influenced by political opinions or decisions; and has the possibility of self-financing and independency from the national budget. This independence is crucial to look freely to WASH sector and make the right decisions also for the disadvantaged groups (eg. social tariffs).

Stakeholder engagement was promoted and lead to their involvement and active participation in the decision process and discussions of the regulatory procedures. It was also promoted through a strong professional connection between the regulator employees and the water providers. Technical staff members worked together with water and sanitation service providers, enabling mutual knowledge gains and joined forces to understand problems and develop solutions.

Finally the role of the government is mainly to avoid interfering in the regulator's activity and cooperate in the definition of the rules that should run the WASH sector.

It was remarkable the discussion on the differences between equity and equality and whether they are achievable. Equity was related to the achievement of equal outcomes, regardless of the solutions implemented; while equality would refer to the process, where equal paths or solutions are implemented not necessarily giving way to the same outcomes. In this last case, when the outcome is not the desired one, then the strategy would need to be readjusted.

Concluding - Political will and private and public engagement needed to deal with inequalities

Political will is essential to overcome financial challenges. The world has enough funds to address the necessary investments to achieve WASH targets, but it requires political will and a global focus where both the private and public sectors contribute. Women are an untapped resource in developing countries. They have strong capacities to manage water and funds efficiently, and their involvement in the political process can be a strong driver to reduce poverty and enhance water access. At the same time an independent regulator coupled with international networking can help advance WASH goals at national level. Improvements in access to WASH are essential to advance in the reduction of inequalities, not only from a global perspective (north-south) but also within countries and regions (urban-rural, coastal-inland, or even gender driven).