



General Assembly

Distr.: General
1 July 2010

Original: English

Human Rights Council

Fifteenth session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque

Addendum

Progress report on the compilation of good practices

Summary

The independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, submits the present report to the Human Rights Council in accordance with its resolution 7/22. In the resolution, the Council requests the independent expert to develop a dialogue with relevant stakeholders to identify, promote and exchange views on best practices related to access to safe drinking water and sanitation, and, in that regard, to prepare a compendium of best practices. In the report the independent expert presents a framework for assessing good practices from a human rights perspective, using five normative criteria (availability, quality/safety, acceptability, accessibility and affordability) and five cross-cutting criteria (non-discrimination, participation, accountability, impact and sustainability).

The independent expert encourages all relevant stakeholders to submit their good practice, in conformity with these criteria, to her for inclusion in the compendium of good practices to be submitted to the Human Rights Council in 2011.

Annex

Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque

Progress report on the compilation of good practices

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I. Introduction

1. The independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, submits the present report to the Human Rights Council in accordance with its resolution 7/22. In the resolution, the Council asks the independent expert to develop a dialogue with Governments, the relevant United Nations bodies, the private sector, local authorities, national human rights institutions, civil society organizations and academic institutions, to identify, promote and exchange views on best practices related to access to safe drinking water and sanitation, and, in that regard, to prepare a compendium of best practices. To approach this task, the independent expert decided to focus her work on good practices and elaborate a set of criteria that can be used as a standard against which to assess whether a practice is “good” in human rights terms.

2. The identification of good practices addresses the question of how human rights related to water and sanitation can be realized and what approaches some actors have taken in that regard, hopefully inspiring others to put in place laws, policies and practices that will be consistent with human rights. Disseminating information on practices that have worked allows others to learn from these experiences and can promote progress in ensuring access to safe and affordable drinking water and sanitation. In this regard, the identification and dissemination of good practices can contribute to the progressive realization of economic, social and cultural rights, as well as to preventing human rights violations.

A. Process and approach

3. When she took up her mandate, the independent expert consulted with numerous people, seeking advice and exchanging views on how to approach the collection of best practices. Her first decision was to adjust the terminology contained in Council resolution 7/22 slightly, focusing instead on “good” practices. This decision is based on the observation that different approaches can be equally good in various contexts.

4. In accordance with her report submitted to the Human Rights Council at its tenth session, which laid out the programme of activities pursuant to her mandate, the independent expert started to work on criteria that will enable her to classify a practice as a “good practice” (A/HRC/10/6, para 34). As “good” is a very subjective notion, and since different actors might have different (or even opposing) views on the accuracy of designating a certain practice as good, the independent expert considered it necessary to elaborate criteria that are based on human rights standards and principles, in order to provide her with a clearer and more objective standard of assessment.

5. She organized an expert consultation in Lisbon, held on 7 and 8 October 2009, in order to discuss potential criteria for good practices. Participants representing United Nations agencies, development agencies, civil society organizations, the private sector, national human rights institutions, Governments, and academia attended. They were asked to consider a set of criteria, shared with them in advance, for determining whether practices related to water and sanitation could qualify as good from a human rights perspective. Taking into account the fruitful discussions at the meeting, the independent expert decided on two sets of criteria, which are introduced in the present report: (a) the normative criteria, comprising availability, quality/safety, acceptability, accessibility and affordability; and (b) the cross-cutting criteria, comprising non-discrimination, participation, accountability, impact and sustainability.

6. Based on these criteria, the independent expert elaborated a questionnaire, which was widely distributed to different stakeholder groups such as States, water and sanitation regulators, public and private water and sanitation service providers, national human rights institutions, civil society, donor agencies, intergovernmental organizations and others. In the context of identifying and submitting examples of good practices to be included in the compendium, the independent expert hopes that these human rights criteria will prove helpful to different actors for self-evaluating their respective practices.

7. To prepare the compendium, the independent expert will rely on at least two types of information. First, she will consult the written responses to the questionnaire. Second, the independent expert has started to organize several stakeholder consultations to enable her to examine some practices in more detail. At the time of writing, two consultations have already been held with intergovernmental organizations and bilateral development agencies. Further consultations are planned with Governments, civil society organizations, national human rights institutions, public and private water and sanitation providers and potentially other individuals. By bringing people from the same sector together to discuss good practices related to human rights, water and sanitation, the independent expert hopes to facilitate exchange of these good practices in order to allow others to draw useful lessons from them. She also expects to identify common challenges in the realization of the rights to sanitation and water, as well as possible solutions for overcoming them.

8. Based on the written submissions and the examples of good practices gathered at the stakeholder consultations, the independent expert will submit to the Human Rights Council in 2011 a compendium of practices related to water and sanitation that have been assessed as “good” from a human rights perspective.

B. Criteria based on human rights

9. The independent expert considers that the collected practices must achieve – or contribute to achieving – the realization of the human rights to water and to sanitation.

10. The independent expert has a broad understanding of the term “practice”, which she considers to encompass both policy and implementation. What constitutes a good practice can thus include initiatives as diverse as international treaties, legislation (at the national, subnational and local levels), regulations, policies, strategies, institutional frameworks, planning and coordination procedures, international cooperation policies, programmes, projects, campaigns, subsidies, financing mechanisms, tariff structures, operators’ contracts, complaints procedures and judicial and quasi-judicial decisions, among many other possible considerations.

11. The criteria contained in the present report are aimed at delineating more clearly the concrete requirements that enable the classification of a certain practice as good. The normative content of the human rights to sanitation and water provides the relevant human rights standards – or the normative criteria – (availability, quality/safety, acceptability, accessibility and affordability). The cross-cutting criteria (non-discrimination, participation, accountability, impact and sustainability) are based on human rights principles and more general human rights considerations. Both sets of criteria will be further outlined below.

12. In other contexts, a broad range of criteria has been suggested and used for the identification of good practices, including, for example, effectiveness, efficiency, relevance, ethical soundness, sustainability;¹ impact, responsiveness, innovativeness/creativity,

¹ The Joint United Nations Programme on HIV/AIDS (UNAIDS), “Summary booklet of best practices”, issue 1 (Geneva, 1999), p. 5.

transferability, replicability, ease of implementation and gender considerations;² or participation, non-discrimination and equality,³ among others. Some of these criteria – such as participation and non-discrimination – are already explicitly addressed from a human rights perspective. Impact and sustainability were identified as additional criteria considered essential for assessing practices from a human rights viewpoint. Others – such as responsiveness – are implicitly addressed, for instance via the criteria of participation and acceptability. The proposed criterion of effectiveness is also addressed by the impact criterion, and the relevance criterion is covered by the five normative criteria. The equality and gender considerations are implicitly addressed by the non-discrimination and participation criteria. Yet others, in particular ethical soundness and innovativeness/creativity, seem redundant or irrelevant from a human rights perspective. Criteria that ask for practices that are valuable for replication and transferability could also be useful in a human rights context. However, these are not requirements, since, from a human rights perspective, a practice might be considered good even if it is aimed only at finding a solution for a small community facing unique challenges – thus not necessarily replicable. Similarly, efficient solutions or approaches that are easy to implement are important. Human rights law acknowledges the obligation to make progress in the constraints of limited financial resources and requires moving as expeditiously and effectively as possible towards the full realization of these rights.⁴ However, cost efficiency and ease of implementation are not dominant and overarching considerations - to the contrary, human rights may even call for solutions that involve comparatively high costs. For instance, participatory processes, which are considered fundamental from a human rights perspective, may have high costs, but are considered indispensable for the realization of human rights and for achieving a sustainable impact.

13. The human rights criteria outlined below are deliberately broad, flexible and adaptable. Human rights law does not prescribe a particular choice of policy or technology, but instead calls for context-specific solutions. It requires that individual needs are met and therefore excludes one-size-fits-all solutions. In this regard, human rights law stresses the perspective of the individual, provided that the exercise of individual rights does not infringe on the rights of others. Keeping this in mind, the identification of good practices aims to capture as wide a spectrum of different approaches as possible, ensuring that everyone's human rights are met.

14. In the following sections, the independent expert will analyse all the criteria, as well as the way in which each one of them applies to the rights to water and sanitation.

II. Normative criteria

15. The normative criteria for determining good practices are based on the normative content of the human rights to sanitation and water. The Committee on Economic, Social and Cultural Rights described the content of the right to water in its general comment 15 (2002), and the independent expert, in her report on human rights obligations related to

² International Labour Organization, summary report on the workshop on “Good practices – decent work and the informal economy”, Turin, Italy, 30 and 31 August 2004. Available from www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/event/wcms_080299.pdf.

³ Inter-Agency Standing Committee/Protection Cluster Working Group, “Discussion note on collection of good practices in protection”, p. 3. Available from www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/clusters%20pages/Protection/PCWG%20Note%20on%20Good%20Practices.pdf.

⁴ Committee on Economic, Social and Cultural Rights, general comment No. 3 (1990) on the nature of States parties' obligations, para. 9.

sanitation (A/HRC/12/24), described the normative content of the right to sanitation. The independent expert decided to build on this framework by defining the normative criteria for good practices, namely: availability, quality/safety, acceptability, accessibility and affordability. The categories are interrelated and some practices may correspond to several of the normative criteria, or only to one. For example, a tariff structure that takes into account the particular challenges faced by people living in poverty can be assessed in terms of affordability, whilst other criteria would be less relevant. On the other hand, a sector-wide approach would relate to all the normative criteria. Practices which assist in the realization of the rights to water and sanitation by addressing one or more of these criteria will be considered by the independent expert in putting together the compendium, provided that the practice does not undermine or contradict the other criteria.

16. These criteria are explained in more detail below. An analysis of their relevance from a human rights perspective and examples of the types of good practices which might relate to them are also included.

A. Availability

17. In many instances, water and sanitation facilities are simply not available in sufficient quantity. People do not have enough water to satisfy their basic personal and domestic needs or it arrives only intermittently. With regard to sanitation, over a billion people still defecate in the open because sanitation facilities are not available to them.⁵ This criterion aims to respond to this reality.

18. Human rights law requires that there be a sufficient number of sanitation facilities with associated services to ensure that waiting times are not unreasonably long. Defining a minimum number of toilets for a given population is tempting, but might be counterproductive, since this may not take into account the particularities of a given community and the special needs of each one of its members. For instance, women, persons with disabilities, children and others may have particular sanitation requirements (A/HRC/12/24, para. 75).

19. With regard to water, the criterion provides that it has to be available continuously and in a sufficient quantity to meet the requirements of drinking and personal hygiene, as well as of further personal and domestic uses, such as cooking and food preparation, dish and laundry washing and cleaning.⁶ Neither continuity nor exact quantity required can be determined in the abstract, since individual requirements for water consumption vary, for instance due to climatic conditions, level of physical activity and personal health conditions. Thus, it is not possible to set precise amounts that apply at a global level. Supply needs to be continuous enough to allow for the collection of sufficient amounts to satisfy all needs, without compromising the quality of water.⁷ Regarding the necessary quantity, estimates and international recommendations can provide broad guidance for assessing whether the availability criterion is being met. For example, it has been estimated

⁵ See World Health Organization and United Nations Children's Fund (WHO and UNICEF), *Progress on Sanitation and Drinking Water: 2010 Update* (Geneva), p. 22. Available from http://whqlibdoc.who.int/publications/2010/9789241563956_eng_full_text.pdf.

⁶ Committee on Economic, Social and Cultural Rights, general comment No. 15, para. 12(a).

⁷ This issue also links to quality, because household water storage bears risks in terms of water quality and health. Gundry, Wright and Conroy find that improving household water storage can reduce cholera. See S. Gundry, J. Wright and R. Conroy, "A systematic review of health outcomes related to household water quality in developing countries", *Journal of Water and Health*, vol. 2, No. 1 (March 2004), p. 1. See also WHO, *Combating Waterborne Disease at the Household Level* (Geneva, 2007), available from www.who.int/household_water/advocacy/combating_disease.pdf.

that all domestic needs can be met with about 100 litres per capita per day.⁸ An absolute minimum amount in the context of disaster response is set at 15 litres per capita per day.⁹ However, such an amount raises health concerns, as it is insufficient to meet hygiene requirements, and must not be understood to correspond to the full realization of the right to water.

20. Taking into account this understanding of availability, a wide variety of practices might qualify as good from a human rights perspective. These might involve laws and policies for according priority to water for basic personal and domestic uses, exempting such water uses from licensing requirements, ensuring the minimum “lifeline” amount of water for personal and domestic uses, providing technologies to improve water continuity, promoting community-led sanitation or building latrines in communities which have none. Such practices relate to the availability of services, but will most likely simultaneously intersect with other criteria mentioned below.

B. Quality/safety

21. While the most recent estimates indicate that 884 million people still do not use improved water sources,¹⁰ the number of people relying on water of poor quality is unfortunately estimated to be much higher.¹¹ Water contamination from pollution, natural geological phenomena such as arsenic in groundwater, inadequate sanitation, and improper handling and household storage have a profound effect on people’s health and, as a result, their capacity to go to school, work, or otherwise participate in society. The lack of access to safe and hygienic sanitation raises serious public health concerns. The criterion of quality/safety is directed at dealing with these problems.

22. Human rights require that sanitation facilities must be hygienically safe to use. This means that they must effectively prevent human and animal, including insect, contact with human excreta. Manual emptying of pit latrines should be avoided. Furthermore, facilities must ensure access to safe water and soap for hand-washing. Hygiene considerations, such as menstrual hygiene and anal and genital cleansing, also have important safety dimensions (A/HRC/12/24, para. 72).

23. Water must be of such a quality that it does not pose a threat to human health.¹² The transmission of water-borne diseases via contaminated water must be avoided. In its *Guidelines for Drinking-water Quality*, WHO defines safe drinking water as water that “does not represent any significant risk to health over a lifetime of consumption, including different sensitivities that may occur between life stages”.¹³ The maximum limits provided in the *Guidelines* for a wide range of potentially harmful substances can serve as a reference point. The State may adopt these standards or create regional or national

⁸ Guy Howard and Jamie Bartram, *Domestic Water Quantity, Service Level and Health* (WHO, Geneva, 2003), p. 22.

⁹ The Sphere Project, *Humanitarian Charter and Minimum Standards in Disaster Relief* (Geneva, 2004), p. 63. Available from www.sphereproject.org/content/view/40/84/lang,english/. Howard and Bartram identify 20 litres per day as basic access, but note that this does not guarantee crucial hygiene requirements (*Domestic Water Quantity*, p. 22).

¹⁰ WHO/UNICEF, *Progress*, p. 7.

¹¹ Water quality is not monitored as part of the Millennium Development Goal monitoring. *Ibid.*, p. 31, and German Agency for Technical Cooperation (GTZ), *MDG Monitoring for Urban Water Supply and Sanitation – Catching up with Reality in Sub-Saharan Africa* (Eschborn, 2007), p. 13.

¹² Committee on Economic, Social and Cultural Rights, general comment No. 15, para. 12(b).

¹³ WHO, *Guidelines for Drinking-water Quality*, 3rd ed. (Geneva, 2008), p. 1.

standards for implementation; in either case, it must ensure that such standards prevent hazards to human health.

24. Good practices related to safety and quality may be directed at different aspects, as the dimensions of this criterion are quite diverse. They could include, but are not limited to, laws and systems in place for monitoring and testing water quality, systems of ecological sanitation, innovative methods for emptying latrines in complicated environments such as slums, low cost sanitation solutions which hygienically separate excreta from human and animal contact, purification, filtration or other low cost solutions for rendering water potable, or hygienic household storage methods.

C. Acceptability

25. Perspectives differ with regard to which sanitation and water supply solutions are acceptable in a given context. Personal sanitation is a highly sensitive issue across regions and cultures. If facilities and sources are not acceptable because of, for instance, their position, then people will not use them. Thus, acceptability is an equally important criterion.

26. In many cultures, toilets must be constructed so as to ensure privacy. Acceptability will often require separate facilities for women and men in public places, and for girls and boys in schools. As mentioned above with regard to quality, facilities should accommodate common hygiene practices in specific cultures, such as anal and genital cleansing, and women's toilets need to accommodate menstruation needs (A/HRC/12/24, para. 80).

27. Acceptability is also relevant for encouraging people to use safe water sources. In particular, water should be of an acceptable colour, odour and taste.¹⁴ These features must be understood in connection with water safety, which directly links to health requirements, since water may have an acceptable taste, colour or odour, but still be of unsafe quality.

28. Good practices related to the acceptability of drinking water and sanitation will inevitably involve a high degree of consultation with users to fully understand their definitions of "acceptable". This could relate, for instance, to the design or location of a sanitation facility, or to the placement of a water point or the actual water source. Cultural prescriptions may also apply to conditions for use of these facilities. A proper dialogue with and awareness-raising among concerned groups is necessary to foster understanding of the linkages with other aspects of the rights to water and to sanitation.

D. Accessibility

29. Even where water and sanitation are generally available, they are frequently inaccessible for a host of reasons. Around the world, water points are often a long distance from the home, so people, especially girls and women, spend major portions of their day walking to collect water for their daily needs. Often, people's security is threatened on their way to or while using the service, in particular when using sanitation facilities at night. The practices that meet the accessibility criterion would strive to overcome these issues.

30. The independent expert has stated that "sanitation facilities must be physically accessible for everyone within, or in the immediate vicinity of, each household, health or educational institution, public institutions and places, and the workplace" (A/HRC/12/24, para. 75). The same is true for water facilities. The distance to the sanitation facility or

¹⁴ Committee on Economic, Social and Cultural Rights, general comment No. 15, para. 12(b).

water source should be in reach of every household, bearing in mind the special needs of certain groups and individuals. The path leading to the facility, and the facility or water source itself, should be safe and convenient for all users, including children, older people, persons with disabilities, women, including pregnant women, and chronically ill people. Furthermore, people must be able to use sanitation facilities safely at night. This can be facilitated through lighted paths, provision of flashlights, or other measures. The risk of attack from animals or people, in particular for women and children, and especially girls, has to be considered when choosing how to construct and where to locate the service in order to avoid such threats.

31. Regular maintenance and cleaning (such as emptying the pits or cleaning the water point surroundings) are essential to ensure the sustainability of sanitation and water facilities and continued access thereto.

32. Good practices with a particular focus on accessibility may include specially designed facilities for people with particular needs, including such features as ramps or handrails for people with disabilities, as well as interventions to bring water points closer to the home or the mobilization of community groups to ensure safety in and around water and sanitation facilities, among many others.

E. Affordability

33. In too many places, the poorest pay the most for water and sanitation services. Not being connected to the public network for water and sanitation services, people living in poverty sometimes have no other choice than to buy water from informal private vendors, who can charge 10 to 20 times more than public utilities.¹⁵ People may find networked services unaffordable, even if it is possible to connect. Since water and sanitation are so basic to survival, people may spend the extra money to acquire access, but often this comes at the expense of the enjoyment of other human rights. The affordability criterion addresses this problem.

34. Sanitation and water facilities and services must be available for use at a price that is affordable to all people. The provision of services includes construction, maintenance of facilities, treatment of water and disposal of faecal matter. Paying for these services must not limit people's capacity to acquire other basic goods and services guaranteed by human rights, such as food, housing, health services and education. Affordability does not necessarily require services to be provided free of charge. When people are unable, for reasons beyond their control, to gain access to sanitation or water through their own means, the State is obliged to find solutions for ensuring this access.

35. Special caution must be exercised and due process guaranteed in cases of disconnection from the water supply due to a user's inability to pay. Measures must be in place to ensure that such users are not deprived of access to safe water to meet their most basic personal and domestic needs, including sanitation needs when relying on water-borne sanitation.

36. With respect to affordability, good practice examples might relate to, inter alia, the inclusion of sanitation and water services in social safety nets, microcredit programmes or revolving funds to help people afford the connection cost to the network, tariff structures with built-in cross-subsidies, policies regarding disconnections, or initiatives to monitor and regulate the price of water and sanitation.

¹⁵ United Nations Development Programme, *Human Development Report 2006 - Beyond Scarcity: Power, Poverty and the Global Water Crisis* (New York, Palgrave Macmillan, 2006), p. 83.

III. Cross-cutting criteria

37. Non-discrimination, participation and accountability are defining attributes of human rights, with a combined effect of empowering the powerless, the marginalized and the excluded. In this regard, these three criteria are natural for the identification of good practices from a human rights perspective. They are also reflected in the human rights-based approach to development,¹⁶ which is a guiding framework for interventions to ensure access to water and sanitation. In considering further criteria, and through discussions in particular with water and sanitation practitioners, impact and sustainability were added as they were considered equally essential in the human rights context.

38. The independent expert considers that good practices need to meet all five cross-cutting criteria to some degree, and at the very least, the practice must not undermine or contradict these. For instance, a substantial effort to extend access to water to the entire population in a given area, but which perpetuates prohibited forms of discrimination by providing separate taps for the majority population and for a marginalized or excluded group, while meeting the criterion of accessibility, cannot be considered a good practice from a human rights perspective.

39. Below, these criteria are explained in more detail, including their relevance from a human rights perspective and examples of the types of good practices which might relate to them.

A. Non-discrimination

40. In many countries, some people are discriminated against because of their colour, sex, language, ethnicity, nationality or other grounds. In the fields of sanitation and water, discrimination can manifest itself, for instance, in denied or restricted access to sanitation facilities or to water sources for certain groups of people. The non-discrimination criterion is aimed at highlighting and correcting these types of situations.

41. Non-discrimination is at the heart of human rights law, with non-discrimination provisions in most human rights treaties and declarations. In article 2 of both the International Covenant on Economic, Social and Cultural Rights and the International Covenant Civil and Political Rights, discrimination in the enjoyment of the rights contained in the respective treaties on the basis of “race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” is prohibited.¹⁷ Subsequent human rights treaties focus on people who experience discrimination, and undertake to specify their rights. These include the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Convention on the Rights of the Child (1989), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) and the Convention on the Rights of Persons with Disabilities (2006). Over time, the list of prohibited grounds of

¹⁶ See United Nations Statement of Common Understanding on the human rights based approach to development. Available from www.undg.org/archive_docs/6959-The_Human_Rights_Based_Approach_to_Development_Cooperation_Towards_a_Common_Understanding_among_UN.pdf.

¹⁷ See also art. 26 of the International Covenant on Civil and Political Rights.

discrimination has grown to include also – under the grounds of “other status” – age, health status, and economic and social situation,¹⁸ among other categories.

42. The Committee on Economic, Social and Cultural Rights has defined discrimination as “any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of Covenant rights”.¹⁹

43. This applies equally to de jure and de facto discrimination.²⁰ De jure discrimination is explicit in laws, policies or other instruments, for example, when a water law provides that only citizens (and not non-citizens) have the right to access safe drinking water. De jure discrimination is a violation of human rights, and such provisions must be repealed and replaced.

44. However, discrimination is often not explicit, but only evident in the de facto impact of seemingly neutral policies. For instance, a given water and sanitation policy might require users to present documents, such as a birth certificate, property title or a building permit, in order to be connected to the network. At first view, this requirement is neutral. However, in examining the specific situation in a country, one may realize that members of a particular minority group have very low rates of birth registration, or lack formal ownership over the land on which they live. The policy will have a de facto discriminatory impact on this minority group because it will be unable to connect to the water and sewage networks.

45. In order to address existing discrimination, positive measures and targeted action may be required. In this regard, human rights require a focus on the people who are the most marginalized and vulnerable to exclusion and discrimination. These include persons falling within the prohibited grounds of discrimination mentioned above, as well as other specific groups who may have particular concerns related to access to safe drinking water and sanitation, such as nomadic and traveller communities, people living in rural or deprived urban areas, prisoners and other detainees, victims of natural disasters, persons living in disaster-prone areas, and those living in arid or semi-arid areas or on small islands. Good practices relating to eliminating discrimination may be aimed specifically to address the situation of disadvantaged groups and the discriminatory practices which perpetuate their exclusion. For instance, such practices might focus on innovative ways to ensure the provision of services to remote rural areas or slums where people lack legal title to the land they live on. Other examples might include guarantees that no forced evictions will be carried out, or partnerships with non-governmental organizations (NGOs) as intermediaries to extend services to discriminated groups.

46. Furthermore, good practices may identify de jure and de facto forms of discrimination, including their root causes, and design interventions to end such discrimination. This is possible, inter alia, through legislative action and lobbying for changes in the law, awareness-raising on the de facto discriminatory impacts of policies and the correction of such policies, and mobilization to change attitudes and prejudices which feed discrimination.

¹⁸ Committee on Economic, Social and Cultural Rights, general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, paras. 29, 33 and 35.

¹⁹ Ibid, para. 7.

²⁰ Ibid, para. 8.

B. Participation

47. Some interventions in the fields of sanitation and water are planned and implemented without sufficient participation of the beneficiaries, which can compromise the effectiveness of a project. For instance, if new water points are to be built in a community, and the beneficiaries do not actively participate in this process, the intervention may not meet people's needs. If only some people participate, and others are not represented in the process, in the end the water points might benefit only a certain part of the community. While participation is important as a preventive measure and as a way of ensuring sustainable change, it is also important as a human rights consideration. The criterion of participation addresses these factors.

48. Participation is a central requirement in the human rights framework and indivisible from the realization of all other human rights. Ensuring meaningful participation requires, in particular, full respect for the freedoms of expression, assembly and association, and for the right to information. The right to participate is most clearly reflected in article 25 of the International Covenant on Civil and Political Rights, which provides for the right to participate in public affairs. In its general comment No. 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service, the Human Rights Committee interprets article 25, explaining that citizens may participate directly, or indirectly through freely chosen representatives, in the conduct of public affairs, which is considered to cover "all aspects of public administration, and the formulation and implementation of policy at international, national, regional and local levels" (para. 5). The significance of participation from a human rights perspective has been repeatedly reinforced through other conventions and treaties detailing the rights of particular people.²¹ The Declaration on the Right to Development (1986) calls on States to "encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights".²²

49. Participation must be active, free and meaningful²³ and thus needs to go beyond mere consultation and provision of information. It requires a genuine opportunity to express demands and concerns and influence decisions. It is also crucial for all concerned individuals, groups and communities to be able to take part or be represented in participatory processes. In particular, the inclusion of women must be ensured. Failing to do so may undermine a project. For example, one project to bring water points closer to a village included consultation with the village council, and on that basis, water points were established close to most of the homes. However, it was later realized that the women continued to go the further distance to the river, instead of using the new water points. After investigation, it was revealed that there were no women on the village council, and that their input would have been crucial because they were the ones who collected the water. The women subsequently indicated that they would have preferred the water points to be located closer to their homes than the old water point, but further away than the new ones, in order for them to preserve the social dimension of collecting water together, while preserving their privacy away from men.

50. In order to ensure effective and meaningful participation, transparency and access to information are crucial elements. To reach people and actually provide accessible

²¹ Convention on the Elimination of All Forms of Discrimination against Women, arts. 7 (b) and 14; Convention on the Rights of the Child, art. 12; Convention on the Rights of Persons with Disabilities, art. 29; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, art. 41.

²² General Assembly resolution 41/128, annex, art. 8, para. 2.

²³ *Ibid.*, art. 2, para. 3.

information, multiple channels of information have to be used, as must communication in local languages. Moreover, capacity development and training may be required, because only when people understand existing legislation and policies can they judge whether their rights are adequately protected.

51. The independent expert has witnessed numerous interventions at the country level which place a heavy emphasis on participation, and these are having an extraordinary impact on improving peoples' access to water and sanitation. Participatory programming already features prominently in many development interventions, not least because of the important effect of participation on their impact and sustainability.²⁴ Practices which meet the participation criterion might be related to mobilizing the community to offer input on proposed interventions, providing for participatory processes in policies related to sanitation and water, involving community members in monitoring access to drinking water and sanitation, and many other initiatives.

C. Accountability

52. In some instances, interventions in the water and sanitation sectors are perceived as charity. People are offered services as passive beneficiaries who hope to gain access but do not have a sense of entitlement. Often, roles and responsibilities are not clearly defined and people do not know where they should turn when access to water and sanitation is non-existent or inadequate. Without accountability, human rights guarantees may not be realized since obligations cannot be enforced. Accountability is a defining attribute of human rights law and thus a fundamental element for identifying good practices from a human rights perspective. Clear lines of accountability assist responsible parties to know their obligations, and help individuals to claim their rights.

53. Judicial mechanisms of accountability, such as courts and tribunals, are an indispensable part of accountability. Article 14, paragraph 1, of the International Covenant on Civil and Political Rights guarantees that "all persons shall be equal before the courts and tribunals," which has been interpreted as including a right of equal access to the courts.²⁵ To make this guarantee effective, States are required to establish an independent and impartial court system that is endowed with an adequate institutional structure and financing to enable it to carry out fair proceedings.²⁶ Furthermore, mechanisms must have the competence to respond to the human rights violation in question and to enforce judgements.

54. States should put into place accountability mechanisms that are accessible, affordable, timely and effective.²⁷ Access to justice must be ensured in practical terms, meaning that people must have physical access and economic access, including through legal aid schemes, and information must be available in local languages. The State should ensure that victims of violations are entitled to adequate reparation, including restitution, compensation, satisfaction and/or guarantees of non-repetition.²⁸

²⁴ Emilie Filmer-Wilson, "The human rights-based approach to development: the right to water", *Netherlands Quarterly of Human Rights*, vol. 23, No. 2 (2005), 213-241, p. 219.

²⁵ Manfred Nowak, *UN Covenant on Civil and Political Rights, CCPR Commentary*, 2nd revised ed. (Kehl am Rhein, Engel, 2005), p. 308; see also Human Rights Committee, general comment 32 (2007) on the right to equality before courts and tribunals and to a fair trial.

²⁶ Nowak, *UN Covenant*, p. 307.

²⁷ Committee on Economic, Social and Cultural Rights, general comment No. 9 (1998) on the domestic application of the Covenant, para. 9.

²⁸ Committee on Economic, Social and Cultural Rights, general comment No. 15, para. 55.

55. Although not all human rights concerns necessitate immediate resort to the courts, effective, affordable and timely access to an independent and functioning judicial system is crucial in case other forms of accountability fail to respond effectively to the violations in question.²⁹ Rights cannot be made fully effective without some role being provided for the judiciary.

56. In addition to the judicial system, many other types of accountability mechanisms exist at State and non-State levels. While the State bears the primary obligations to ensure enjoyment of human rights, other actors such as donors, intergovernmental organizations, water service providers, private actors and civil society organizations also have responsibilities regarding the rights to water and sanitation, which must also be accompanied by accountability mechanisms. State-based and non-State-based mechanisms can perform a variety of functions, including monitoring; receiving and responding to complaints; and providing remedies and/or redress where human rights violations have occurred.

57. Quasi-judicial mechanisms, such as national human rights institutions and international human rights treaty bodies, can play an important role in ensuring accountability by monitoring the observance of rights and reporting violations, as well as by receiving individual complaints. Since water and sanitation are frequently the responsibility of local governments or of specific ministries within the Government, administrative mechanisms must be established at those levels. These can be established within regulatory bodies. Such mechanisms should be able to receive and respond to complaints from water and sanitation users and to carry out human rights impact assessments.

58. Water and sanitation service providers should also establish grievance mechanisms at the level of the operator so as to respond to the complaints and concerns of users. Informal justice systems, such as traditional or indigenous systems of justice, may also be relevant in the context of water and sanitation.

59. Accountability mechanisms at the political level can be established through parliamentary review committees or similar structures.³⁰ Furthermore, accountability can be achieved through social mobilization, media reporting, campaigning and lobbying, and social activism. The proper functioning of these mechanisms is dependent upon the enjoyment of the rights to freedom of expression, of the press, of assembly, of association, and of access to information, as well as the rights to participate in public affairs and vote, among others. Accountability will usually depend on the availability of a variety of different mechanisms, which can be used in parallel or subsequent to each other.

60. Good practices in the area of accountability may take different forms. They might ensure that easily accessible mechanisms are available to users, located for instance at the level of the service provider, to respond to user complaints. They could also include instruments that clearly outline the roles and responsibilities of the different actors involved and that are easily available and transparent to users. They would also ensure coordination between the different entities involved. Interventions aimed at institutional strengthening and fighting corruption would also link to criterion of accountability.

61. At the judicial level, public interest litigation or representation by civil society organizations on behalf of victims can also facilitate accountability. Community-based monitoring systems may fit this criterion. Conducting human rights impact assessments as

²⁹ Committee on Economic, Social and Cultural Rights, general comment No. 9, para. 9

³⁰ Office of the United Nations High Commissioner for Human Rights, *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies*, (Geneva, 2006), para. 84.

part of administrative mechanisms for accountability may also be important positive practices to highlight. Active and engaged national human rights institutions which monitor the realization of the rights to water and sanitation, and respond to complaints, may also represent good practices in terms of accountability. Where bilateral donors, international organizations or NGOs are involved, their good practices could include the establishment of feedback mechanisms and the inclusion of the communities in monitoring and evaluating activities.

D. Impact

62. Guaranteeing human rights requires more than mere rhetoric. These rights must be operationalized, and as such, good practices from a human rights perspective should positively contribute to the realization of the human rights to water and sanitation. This criterion is essential for assuring meaningful interventions which can effect an improvement in peoples' lives.

63. In the water and sanitation sectors, as in other areas of development, well-meaning but ineffective interventions sometimes occur. For instance, where latrines are provided to communities without essential awareness-raising activities aimed at ensuring that people understand the importance of using safe sanitation, the intervention will inevitably fail since the community members will see no reason for changing their entrenched habits of open defecation. The participation of concerned communities is important for ensuring impact, as is learning lessons from past experiences. Accountability also must be factored into the impact criterion, since accountability mechanisms are important means for feedback on practices which require improvements.

E. Sustainability

64. Sustainability is particularly relevant to issues concerning water and sanitation, as it relates to the longer term positive and negative impacts of a particular practice. Water networks or other sources of water delivery may be built, but in the absence of corresponding capacity-building to maintain such infrastructure, the ongoing needs of the community in question will not be met. The costs of maintaining water and sanitation facilities are a frequent cause of discontinued use - for example, communities may be unable to pay for repairs to the system or to empty septic tanks. Over-reliance on groundwater can result in the depletion of groundwater levels, which has serious implications for the wider environment. The criterion of sustainability ensures that these considerations are taken into account.

65. Sustainable development has been defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs".³¹ The Economic Commission for Europe Convention on the Protection and Use of Transboundary Watercourses and International Lakes (1992) provides that "water resources shall be managed so that the needs of the present generation are met without compromising the ability of future generations to meet their own needs" (art. 2, para. 5(c)). The Committee on Economic, Social and Cultural Rights also affirms that realization of the right to water requires "ensur[ing] that there is sufficient and safe water for present and future generations"³² and this similarly applies to sanitation. Unsustainable interventions may

³¹ General Assembly resolution 42/187 on the report of the World Commission on Environment and Development.

³² Committee on Economic, Social and Cultural Rights, general comment No. 15, para. 28.

eventually result in unjustifiable retrogression in the progressive realization of the rights, amounting to violations of these rights.³³ Sustainability also implies that the practice in question does not negatively impact on other human rights.

66. The economic, social and environmental aspects of sustainable development must be taken into consideration in this regard.³⁴ Environmental sustainability³⁵ means that water quality and availability have to be ensured in a way that respects and supports the larger environment. Water contamination and over-extraction must be avoided in order to ensure continued access to safe and sufficient water. In this regard, good practices would, for instance, aim to map existing groundwater availability and current use patterns and avoid over-abstraction of groundwater by industrial or agricultural users so as to ensure that sufficient water resources are available for personal and domestic uses. Moreover, considering the impacts of climate change and changing water availability and variability, adaptive capacity is important. Similarly, good practices in the area of sanitation should contribute to environmental sanitation, for example by ensuring that human excreta do not leak into groundwater.

67. Economic sustainability requires, inter alia, that, in addition to the initial investment, the costs of ongoing operation, management and investment must be taken into consideration from the planning phase onwards in order to ensure the continued functioning of the system. One source of income in this regard is user fees. However, achieving economic sustainability must take into account the equity aspects of ensuring that the poorest segments of the population may still afford these services. The availability of skilled labour and affordable spare parts for operation and maintenance are equally important. In that context, good practices could include building the capacity of the local community, or of the local private sector, to maintain facilities after a project initiated by development agencies or civil society organizations is terminated.³⁶ They could also include tariff structures which ensure that those who can afford it contribute to the sustainability of the system, and that those who cannot afford it receive assistance from the State.

68. Last, but not least, social sustainability³⁷ touches on issues of social equity and acceptance. Participatory processes will greatly contribute to sustainability in this regard.³⁸

³³ Committee on Economic, Social and Cultural Rights, general comment No. 3, para. 9.

³⁴ *Report of the World Summit on Sustainable Development: Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1), chap. 1, resolution 1, para. 5; W.M. Adams, *The Future of Sustainability: Re-thinking Environment and Development in the Twenty-first Century* (The World Conservation Union, 2006), p. 2, available from http://cmsdata.iucn.org/downloads/iucn_future_of_sustainability.pdf.

³⁵ On environmental sustainability, see United Nations Development Programme, *Making Progress on Environmental Sustainability: Lessons and Recommendations from a Review of over 150 MDG Country Experiences* (New York, 2006). Available from: http://content.undp.org/go/cms-service/download/asset/?asset_id=2461718.

³⁶ On the issue of economic sustainability of water service delivery, see, for example, United Nations, "Providing water to the urban poor in developing countries: the role of tariffs and subsidies", Sustainable Development Innovation Briefs, issue 4 (October 2007). Available from: www.un.org/esa/sustdev/publications/innovationbriefs/no4.pdf

³⁷ On social factors impacting sustainable water use, see World Water Assessment Programme, *The United Nations World Water Development Report 3: Water in a Changing World* (Paris, United Nations Educational, Scientific and Cultural Organization; London, Earthscan, 2009), pp. 36-39. Available from www.unesco.org/water/wwap/wwdr/wwdr3/pdf/WWDR3_Water_in_a_Changing_World.pdf.

³⁸ On participation in water resources management, see Libor Jansky and Juha I. Uitto, eds., *Enhancing Participation and Governance in Water Resources Management: Conventional Approaches and Information Technology* (Tokyo, United Nations University Press, 2005).

Participation by all concerned individuals, communities and groups is crucial to guaranteeing that interventions enhance community ownership and thus contribute to achieving sustainability. Good practices could include participatory processes from the outset, and use the input from these in the design of interventions to ensure that they will endure.

IV. Relevant actors

69. A great number of actors are relevant to the realization of the rights to safe drinking water and sanitation for all and thus for identifying good practices in that context. While not attempting to present an exhaustive list, this section aims to illustrate some of the ways that different actors may be engaged in good practices. These different actors include, but are not limited to, States (including local governments), regulators, public and private water and sanitation providers, civil society organizations, development cooperation agencies, intergovernmental organizations, and education, training and research institutions, as well as individuals and communities. Furthermore, realizing the rights to water and sanitation requires a wide number of different practices, and goes beyond service provision to include other types of interventions, such as legislation, policy formulation, institution building, awareness-raising, training, advocacy and litigation.

A. States

70. The State is ultimately responsible and accountable for ensuring that everyone's human rights are realized. While the State may choose to provide water and sanitation services directly, it is not obliged to do so, but it must create an enabling environment for the enjoyment of these rights, including the necessary legislative and policy measures to govern these sectors. Many States have good practices to share in terms of realizing the rights to water and sanitation. These practices can range from direct service provision, establishing a regulatory framework and ensuring the existence of responsive accountability mechanisms, to engaging in awareness-raising activities and putting social policies in place to protect people living in poverty. States which have adopted national action plans for the realization of the rights to water and sanitation, with benchmarking and monitoring processes built in, are particularly well placed to share experiences, as these plans form the backbone for the progressive realization of these rights.

71. Frequently, responsibility for water and sanitation services lies at the local or municipal level. As part of the State, entities at this level have human rights obligations to ensure enjoyment of the rights to sanitation and water for all within their jurisdiction. At the local level, tailored solutions can often be devised to respond to the specific needs of the communities in question. For instance, local and municipal authorities can, inter alia, take specific measures to extend access to excluded communities, to ensure participation of marginalized groups, to raise awareness of the public health, environmental and other aspects related to water and sanitation, and to establish local-level accountability mechanisms to respond to potential problems and resolve disputes efficiently.

B. Regulatory bodies

72. A regulatory framework has been defined as “the promulgation of an authoritative set of rules, accompanied by some mechanism, typically a public agency, for monitoring

and promoting compliance with these rules”.³⁹ In the water and sanitation sectors, this usually covers the areas of water quality, pricing, and service standards. Regulators can make important contributions to the human rights to sanitation and water, for instance, through setting and monitoring water quality standards. They also play an important role with regard to tariffs, aiming to achieve a delicate balance between affordability and economic sustainability. Furthermore, regulators can monitor performance standards to ensure that human rights criteria are met, for instance, in policy objectives and business procedures. Monitoring can extend to informal service providers who often supply water to the poorest sections of the population. Creating rules regarding new connections in formerly unserved and underserved areas and setting standards for interruptions of supply and disconnections, in line with human rights considerations, can also be important contributions. Non-networked water supplies such as wells, standpipes, kiosks, tanker trucks and bottled water are also appropriate topics for regulators to address. These institutions also may receive complaints directly from water and sanitation users. Moreover, they can provide advice and facilitate discussions related to decisions on the model of service delivery opted for by the State to assure respect for human rights in that process.

C. Service providers

73. Water and sanitation service providers are also well placed to share good practices in realizing the rights to water and sanitation. These service providers can play an important role in many respects, including in extending the water and sanitation networks to unserved or underserved areas, providing services, including delivery of water by tanker trucks, at affordable prices to communities that are not connected to the network, and by developing low-cost technologies for ensuring that more people fully enjoy these rights. They can also promote public discussion on how the enjoyment of the rights to sanitation and water can be improved. Since they possess specific expertise in the areas of water and sanitation, they can be crucial partners for Government as it devises strategies for the progressive realization of the rights to sanitation and water.

D. Private sector

74. Beyond their role in service provision, private actors are active in many areas related to the rights to water and to sanitation. The private sector includes companies and business, and they can contribute by including the respect and realization of the rights to water and sanitation in their core business operations and decision-making processes. For instance, they can guarantee consultation with, and accountability to, local communities so as to ensure that the company’s water use does not jeopardize the safe water available to the community. Moreover, corporate social responsibility initiatives, when undertaken in compliance with human rights standards, can be useful interventions to help in the realization of human rights, for instance, projects which aim to make essential products available at reduced prices to populations in need.

³⁹ Baldwin and others, cited in Naren Prasad, “Overview: social policies and private sector participation in water supply”, in *Social Policies and Private Sector Participation in Water Supply*, N. Prasad, ed. (Houndsmill, Palgrave Macmillan, 2008), p. 5.

E. Civil society

75. Civil society is a diverse category including local community organizations, faith-based groups, NGOs focused on water and sanitation in the context of development, NGOs focused on human rights, including the rights to water and sanitation, NGOs focused on the environment, and lobby groups, among others. The areas of intervention and the contributions of these organizations can vary widely. They may operate as service providers, monitor service provision, or engage in training or capacity-building on technical issues (how to build water and sanitation facilities) or policy issues (such as how to lobby Government representatives on these issues). They may engage in campaigning and act as pressure groups to effect change at the local, national and international levels. They may also conduct research on a wide variety of topics related to the human rights to water and sanitation, which can inform future action in these sectors.⁴⁰

F. National human rights institutions

76. A national human rights institution (NHRI) is a “body which is established by a Government under the constitution, or by law or decree, the functions of which are specifically defined in terms of the promotion and protection of human rights”⁴¹ In the fields of water and sanitation, NHRIs can play a role in reviewing government action, such as legislation, policies and programmes, to ensure that it is consistent with human rights. Furthermore, they can monitor compliance with relevant laws, policies and programmes. They can also investigate complaints by users and provide adequate redress.

G. Development agencies

77. Development agencies, which implement a donor country’s bilateral development cooperation and assistance, also have a positive contribution to make. Development agencies are frequently part of the Government structure. As States which have undertaken specific human rights commitments, donor countries are equally obliged to respect, protect and promote human rights in their activities, including through their official development assistance.⁴² Furthermore, agencies which explicitly adopt a human rights-based approach to their water and sanitation interventions may have particular experience to share.

78. Development agencies can promote the rights to sanitation and water in numerous ways: for example, financial assistance can help build sanitation and water infrastructures, while technical assistance can support the receiving country in institution-building, transfer of technology, and know-how for sustainable operation and maintenance of the infrastructure. These agencies can promote participatory processes in their projects. They can also offer valuable advice in establishing regulatory frameworks and accountability mechanisms in line with human rights norms. Furthermore, they can build the capacity of civil society to monitor compliance with human rights, including the rights to water and to sanitation.

⁴⁰ See for example Centre on Housing Rights and Evictions, *Manual on the Right to Water and Sanitation* (Geneva, 2008), pp. 51-53.

⁴¹ *National Human Rights Institutions: A Handbook on the Establishment and Strengthening of National Institutions for the Promotion and Protection of Human Rights* (United Nations publication, Sales No. E.95.XIV.2), para. 39. See also the principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles), General Assembly resolution 48/134, annex.

⁴² Committee on Economic, Social and Cultural Rights, general comment No. 3, para. 14.

H. Intergovernmental organizations

79. Intergovernmental organizations include international organizations such as the United Nations, its specialized agencies, funds and programmes, and the World Bank and International Monetary Fund, as well as regional organizations such as the regional development banks. Organizations of the United Nations are obliged to promote and encourage respect for human rights, as provided for in the Charter of the United Nations; more broadly, since intergovernmental organizations are composed of States, it can also be argued that these acquire the human rights obligations to which States have committed.⁴³

80. Many intergovernmental organizations are active in the fields of water and sanitation, and have an important contribution to make in promoting the recognition and realization of the human rights to water and sanitation, within their organizations and in collaboration with their external partners. For example, they can support the capacities of national water and sanitation institutions through technical cooperation, they can carry out and disseminate research on water and sanitation technologies and they can advocate for improved water and sanitation policies on the national level. They can also identify marginalized and excluded groups and work with the Government to ensure that these are not left behind in extending access to safe drinking water and sanitation. Intergovernmental organizations are also engaged in important standard-setting and monitoring activities.

I. Education, training and research institutions

81. Education, training and research institutions such as schools, universities and institutes can play important roles in order to realize the human rights to water and sanitation. For schools, this includes teaching young people about fundamental issues such as their human rights, the links between sanitation and water contamination, and understanding that water is a precious resource. Training institutes can equip people with the skills needed for working in the sector, for instance with technical or managerial competences. Research institutions also play important roles in finding locally adapted solutions to the challenges in accessing water and sanitation.

J. Individuals and communities

82. Individuals and communities frequently know their own needs and priorities best; with knowledge of their rights, they can play an enhanced role in improving their access to water and sanitation. They can also monitor service provision, propose appropriate policies to government, and advocate for their implementation. Furthermore, encouraging the responsible use of water and sanitation facilities and spreading knowledge of good hygiene practices, as well as assisting vulnerable and marginalized individuals and households within the community can be ways for communities and individuals to promote the human rights to water and sanitation.⁴⁴

⁴³ Report of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights (A/HRC/11/10), para. 75. For a detailed discussion of whether international financial institutions possess human rights obligations, see Bahram Ghazi, *The IMF, the World Bank Group and the Question of Human Rights* (Ardsey, New York, Transnational Publishers, 2005).

⁴⁴ Centre on Housing Rights and Evictions, *Manual*, pp. 50-51.

V. Conclusion and recommendations

83. The present report has laid out the framework which the independent expert will use to assess good practices from a human rights perspective. While good practices should not undermine any of the 10 criteria identified, practices may focus on particular aspects of realizing the rights to water and to sanitation. On the basis of the report, the independent expert wishes to proceed with the collection of good practices and submit the requested compendium of good practices to the Human Rights Council in 2011

84. To ensure the inclusion of as many good practices as possible which conform to this framework, the independent expert recommends that all stakeholders, including those actors identified in this report, submit their good practices to the independent expert for consideration.
